## **EXHIBIT 5**

HRC Director
Ahni Malachi
Deposition
Transcript
Redacted,
Publicly-filed

(Unredacted version has been filed under seal)

**Local 8027** 

VS

Frank Edelblut

Docket No. 1:21-cv-01077-PB

**AHNI MALACHI** 

May 24, 2023



# AVICORE REPORTING

15 Constitution Drive, Suite 1A • Bedford, NH 03110 • (603) 666-4100 info@avicorereporting.com • www.avicorereporting.com

	UNITED STATES DISTRICT COURT	1		3
	DISTRICT OF NEW HAMPSHIRE			
	DIGINIO OF ADM MANDELLA	2	INDEX	
	CERTIFIED ORIGINAL	3	Deposition of Ahni Malachi	
	Local 8027, AFT-New Hampshire, et al.	4	Examination by Mr. Bissonnette:	5
		5	EXHIBITS	
	Plaintiff,	6	53 Letter, Malachi to DiLorenzo,	
		7	March 4, 2022, DOE-10269-72	19
	v.	8		
	Frank Edelblut, Commissioner, et al			
		9	20 Sep 2021, HRC-00379-380	49
	Defendants.	10	55 Exhibit 19, July 21, 2021,	
		11	Guidance, PL 00415-423	77
	No. 1:21-cv-01077-PB	12	56 NH Commission for Human Rights,	
		13	Minutes, October 7, 2021,	
		14	HRC-00391-394	94
	VOLUME I	15	57 Commissioner Edelblut's Objections	
	DEPOSITION OF AHNI MALACHI			
	taken on behalf of the Plaintiffs	16	and Responses to the Plaintiffs'	
	at the New Hampshire Commission	17	First Set of Interrogatories	99
	for Human Rights, Concord, NH,	18	58 Christian Kim and Ahni Malachi's	
	on May 24, 2023, at 11:15 a.m.	19	Objections and Responses to the	
		20	Plaintiffs' First Set of	
		21	Interrogatories	101
	Court Reporter:	22	(Original exhibits retained by reporter)	١
	Cynthia Foster, LCR			
	LCR #14 (RSA 310-A:161-181)	23	(Scanned copies provided to all counsel	L)
	2			4
1	2	1		7
2	APPEARANCES:	2	STIPULATIONS	
3	On behalf of the Plaintiffs, Local 8027, AFT-New Hampshire, AFL-CIO:			
4	STROOCK & STROOCK & LAVAN LLP	3	It is agreed that the deposition sh	nall
5	By: Charles Moerdler, Esq. Elizabeth C. Milburn, Esq.	4	be taken in the first instance in stenotype and wh	nen
	David Kahne, Esq., by Zoom	5	transcribed may be used for all purposes for which	ı
6	180 Maiden Lane New York, NY 10038	6	depositions are competent under New Hampshire	
7	212-806-5648	7	practice.	
8	cmoerdler@stroock.com ecmilburn@stroock.com	8	Notice, filing, caption and all oth	ner
9	On behalf of the Plaintiffs, Christina	9	formalities are waived. All objections except as	
10	Philibotte, Andres Mejia, NEA-New Hampshire: ACLU OF NEW HAMPSHIRE			
10	By: Gilles Bissonnette, Esq.	10	form are reserved and may be taken in court at tri	ial.
11	18 Low Avenue, Unit 12	11	It is further agreed that if the	
12	Concord, NH 03301 603-225-3080	12	deposition is not signed within thirty (30) days	
1.0	gilles@aclu-nh.org	13	after submission to counsel, the signature of the	
13	On behalf of the Defendants, Frank Edelblut,	14	deponent is waived.	
14	Ahni Malachi, John Formella, et al:	15	It is further agreed that exhibits	mav
15	NH DEPARTMENT OF JUSTICE By: Nathan W. Kenison-Marvin, Esq.	16	be retained by counsel until the time of trial.	-
	33 Capitol Street		be recarned by counser until the time of trial.	
16	Concord, NH 03301 603-271-1292	17		
17	nathan.w.kenison-marvin@doj.nh.gov	18		
18	By Zoom: Peter Perroni, Esq.	19		
19	Nathan Fennessy, Esq., nfennessy@preti.com	20		
20	Morgan Nighan, Esq., mnighan@nixonpeabody.com Jennifer Eber, Esq.	21		
∠∪	<del>-</del>	1 -		
	Kayla Turner, Esq., kaylat@drcnh.org.	22		
21	Kayla Turner, Esq., kaylat@drchn.org. Esther Dickinson, Esq., edickinson@nhnea.org	22		
		22		

1		5 AHNI MALACHI, DULY SWORN	1		7 Okay?
2		EXAMINATION		Α	Yes.
3	BY	MR. BISSONNETTE:	3	Q	And this is especially important. I know this
4	Q.	Thank you, and I just want to make clear for the	4	Q	isn't always, you know, a fun process going
5	~	record that we have the same stipulations as	5		through a deposition, you can take breaks at any
6		yesterday. I think we're all in an agreement,	6		time. Typically, we do them on the hour. If
7		and there's obviously going to be no recording	7		you need them sooner, that's totally fine.
8		of this deposition today. We're all in	8		Whatever makes you the most comfortable if you
9		agreement there.	9		need a break. My only kind of caveat would be
10		MR. KENISON-MARVIN: I agree.	10		if there's a pending question that we just
11	Q	Director Malachi, I know we've met before. My	11		answer that question before we take that break.
12	<u> </u>	name is Gilles Bissonnette. I represent Tina	12		There's one exception to that. If there's
13		Philibotte and Andres Mejia in this case. Thank	13		a privilege assertion or a privilege question
14		you so much for coming in today. I'm just going	14		being raised either by you or by counsel, of
15		to kind of walk you through kind of what the	15		course, I think then it would be appropriate to
16		deposition process looks like, the common	16		take a break even if we don't yet have an answer
17		understandings and agreements that we have amid	17		to that question. Okay?
18		this process. So before I kind of go through	18	Α	Yes.
19		that, I just want to ask you have you ever been	19	, ,	(Discussion off the record re Zoom)
20		deposed before?	20	Q	If the Zoom component of this deposition becomes
21	Α	No.	21	Q	a distraction visually, I can move myself so
22	Q	Okay. So the way this works, obviously, is	22		it's less in sight so that is an option I just
23	Q	we're in a room, a reporter is going to be	23		want to make you aware of as well.
20		we re in a room, a reporter is going to be	23		want to make you aware or as well.
		6			8
1		6 recording everything that we say to one another.	1		8 Obviously, you were just sworn in. You do
1 2			1 2		
		recording everything that we say to one another.		A	Obviously, you were just sworn in. You do
2		recording everything that we say to one another.  So I think it's important that we don't talk	2	A Q	Obviously, you were just sworn in. You do know that you're under oath, correct?
2 3		recording everything that we say to one another. So I think it's important that we don't talk over each other. That's more an issue for the	2		Obviously, you were just sworn in. You do know that you're under oath, correct? Yes.
2 3 4 5 6		recording everything that we say to one another. So I think it's important that we don't talk over each other. That's more an issue for the lawyers as opposed to the witnesses so I can promise you I will do my best to let you finish your answers before I ask another question, and	2 3 4		Obviously, you were just sworn in. You do know that you're under oath, correct? Yes. Okay. And I'm going to just kind of represent
2 3 4 5		recording everything that we say to one another. So I think it's important that we don't talk over each other. That's more an issue for the lawyers as opposed to the witnesses so I can promise you I will do my best to let you finish	2 3 4 5		Obviously, you were just sworn in. You do know that you're under oath, correct? Yes. Okay. And I'm going to just kind of represent to you that there is a chance in this case that
2 3 4 5 6 7 8		recording everything that we say to one another. So I think it's important that we don't talk over each other. That's more an issue for the lawyers as opposed to the witnesses so I can promise you I will do my best to let you finish your answers before I ask another question, and	2 3 4 5 6		Obviously, you were just sworn in. You do know that you're under oath, correct? Yes. Okay. And I'm going to just kind of represent to you that there is a chance in this case that the deposition today, either in whole or in
2 3 4 5 6 7		recording everything that we say to one another. So I think it's important that we don't talk over each other. That's more an issue for the lawyers as opposed to the witnesses so I can promise you I will do my best to let you finish your answers before I ask another question, and reciprocally, I would just ask that you wait to	2 3 4 5 6 7		Obviously, you were just sworn in. You do know that you're under oath, correct? Yes. Okay. And I'm going to just kind of represent to you that there is a chance in this case that the deposition today, either in whole or in part, would be made available to the judge in
2 3 4 5 6 7 8 9	A	recording everything that we say to one another. So I think it's important that we don't talk over each other. That's more an issue for the lawyers as opposed to the witnesses so I can promise you I will do my best to let you finish your answers before I ask another question, and reciprocally, I would just ask that you wait to provide an answer until I finish my question. Does that make sense?	2 3 4 5 6 7 8 9		Obviously, you were just sworn in. You do know that you're under oath, correct? Yes. Okay. And I'm going to just kind of represent to you that there is a chance in this case that the deposition today, either in whole or in part, would be made available to the judge in this case. Is that something that you're aware of? Yes.
2 3 4 5 6 7 8 9 10	A Q	recording everything that we say to one another. So I think it's important that we don't talk over each other. That's more an issue for the lawyers as opposed to the witnesses so I can promise you I will do my best to let you finish your answers before I ask another question, and reciprocally, I would just ask that you wait to provide an answer until I finish my question. Does that make sense? Yes. And if you don't understand a question, please	2 3 4 5 6 7 8 9 10	Q	Obviously, you were just sworn in. You do know that you're under oath, correct? Yes. Okay. And I'm going to just kind of represent to you that there is a chance in this case that the deposition today, either in whole or in part, would be made available to the judge in this case. Is that something that you're aware of? Yes. Will anything prevent you from giving truthful
2 3 4 5 6 7 8 9 10 11 12		recording everything that we say to one another.  So I think it's important that we don't talk over each other. That's more an issue for the lawyers as opposed to the witnesses so I can promise you I will do my best to let you finish your answers before I ask another question, and reciprocally, I would just ask that you wait to provide an answer until I finish my question.  Does that make sense?  Yes.  And if you don't understand a question, please tell me, and I'll be happy to rephrase or make	2 3 4 5 6 7 8 9 10 11 12	Q A Q	Obviously, you were just sworn in. You do know that you're under oath, correct? Yes. Okay. And I'm going to just kind of represent to you that there is a chance in this case that the deposition today, either in whole or in part, would be made available to the judge in this case. Is that something that you're aware of? Yes. Will anything prevent you from giving truthful and accurate testimony today?
2 3 4 5 6 7 8 9 10 11 12 13		recording everything that we say to one another. So I think it's important that we don't talk over each other. That's more an issue for the lawyers as opposed to the witnesses so I can promise you I will do my best to let you finish your answers before I ask another question, and reciprocally, I would just ask that you wait to provide an answer until I finish my question. Does that make sense? Yes. And if you don't understand a question, please tell me, and I'll be happy to rephrase or make an effort to reclarify. If you don't do that	2 3 4 5 6 7 8 9 10 11 12 13	Q A Q	Obviously, you were just sworn in. You do know that you're under oath, correct? Yes. Okay. And I'm going to just kind of represent to you that there is a chance in this case that the deposition today, either in whole or in part, would be made available to the judge in this case. Is that something that you're aware of? Yes. Will anything prevent you from giving truthful and accurate testimony today? I don't understand the question.
2 3 4 5 6 7 8 9 10 11 12 13 14		recording everything that we say to one another. So I think it's important that we don't talk over each other. That's more an issue for the lawyers as opposed to the witnesses so I can promise you I will do my best to let you finish your answers before I ask another question, and reciprocally, I would just ask that you wait to provide an answer until I finish my question. Does that make sense? Yes. And if you don't understand a question, please tell me, and I'll be happy to rephrase or make an effort to reclarify. If you don't do that and you respond to the question, I'm going to	2 3 4 5 6 7 8 9 10 11 12 13 14	Q A Q	Obviously, you were just sworn in. You do know that you're under oath, correct? Yes. Okay. And I'm going to just kind of represent to you that there is a chance in this case that the deposition today, either in whole or in part, would be made available to the judge in this case. Is that something that you're aware of? Yes. Will anything prevent you from giving truthful and accurate testimony today? I don't understand the question. Is there anything that would prevent you from
2 3 4 5 6 7 8 9 10 11 12 13 14 15		recording everything that we say to one another. So I think it's important that we don't talk over each other. That's more an issue for the lawyers as opposed to the witnesses so I can promise you I will do my best to let you finish your answers before I ask another question, and reciprocally, I would just ask that you wait to provide an answer until I finish my question. Does that make sense? Yes. And if you don't understand a question, please tell me, and I'll be happy to rephrase or make an effort to reclarify. If you don't do that and you respond to the question, I'm going to assume that you have understood the question.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q A Q	Obviously, you were just sworn in. You do know that you're under oath, correct? Yes. Okay. And I'm going to just kind of represent to you that there is a chance in this case that the deposition today, either in whole or in part, would be made available to the judge in this case. Is that something that you're aware of? Yes. Will anything prevent you from giving truthful and accurate testimony today? I don't understand the question. Is there anything that would prevent you from giving truthful testimony today at this
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q	recording everything that we say to one another. So I think it's important that we don't talk over each other. That's more an issue for the lawyers as opposed to the witnesses so I can promise you I will do my best to let you finish your answers before I ask another question, and reciprocally, I would just ask that you wait to provide an answer until I finish my question. Does that make sense?  Yes.  And if you don't understand a question, please tell me, and I'll be happy to rephrase or make an effort to reclarify. If you don't do that and you respond to the question, I'm going to assume that you have understood the question. Okay?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q A Q	Obviously, you were just sworn in. You do know that you're under oath, correct? Yes. Okay. And I'm going to just kind of represent to you that there is a chance in this case that the deposition today, either in whole or in part, would be made available to the judge in this case. Is that something that you're aware of? Yes. Will anything prevent you from giving truthful and accurate testimony today? I don't understand the question. Is there anything that would prevent you from giving truthful testimony today at this deposition? Medications, family issues, is
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q	recording everything that we say to one another. So I think it's important that we don't talk over each other. That's more an issue for the lawyers as opposed to the witnesses so I can promise you I will do my best to let you finish your answers before I ask another question, and reciprocally, I would just ask that you wait to provide an answer until I finish my question. Does that make sense? Yes. And if you don't understand a question, please tell me, and I'll be happy to rephrase or make an effort to reclarify. If you don't do that and you respond to the question, I'm going to assume that you have understood the question. Okay? Okay.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q A Q	Obviously, you were just sworn in. You do know that you're under oath, correct? Yes. Okay. And I'm going to just kind of represent to you that there is a chance in this case that the deposition today, either in whole or in part, would be made available to the judge in this case. Is that something that you're aware of? Yes. Will anything prevent you from giving truthful and accurate testimony today? I don't understand the question. Is there anything that would prevent you from giving truthful testimony today at this deposition? Medications, family issues, is there anything kind of in your life that would
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q	recording everything that we say to one another. So I think it's important that we don't talk over each other. That's more an issue for the lawyers as opposed to the witnesses so I can promise you I will do my best to let you finish your answers before I ask another question, and reciprocally, I would just ask that you wait to provide an answer until I finish my question. Does that make sense? Yes. And if you don't understand a question, please tell me, and I'll be happy to rephrase or make an effort to reclarify. If you don't do that and you respond to the question, I'm going to assume that you have understood the question. Okay? Okay. And as well, I would just ask you given the fact	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q A Q	Obviously, you were just sworn in. You do know that you're under oath, correct? Yes. Okay. And I'm going to just kind of represent to you that there is a chance in this case that the deposition today, either in whole or in part, would be made available to the judge in this case. Is that something that you're aware of? Yes. Will anything prevent you from giving truthful and accurate testimony today? I don't understand the question. Is there anything that would prevent you from giving truthful testimony today at this deposition? Medications, family issues, is there anything kind of in your life that would prevent you from giving truthful testimony.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q	recording everything that we say to one another. So I think it's important that we don't talk over each other. That's more an issue for the lawyers as opposed to the witnesses so I can promise you I will do my best to let you finish your answers before I ask another question, and reciprocally, I would just ask that you wait to provide an answer until I finish my question. Does that make sense? Yes.  And if you don't understand a question, please tell me, and I'll be happy to rephrase or make an effort to reclarify. If you don't do that and you respond to the question, I'm going to assume that you have understood the question. Okay? Okay.  And as well, I would just ask you given the fact that we have a court reporter here transcribing	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q A Q A Q	Obviously, you were just sworn in. You do know that you're under oath, correct? Yes. Okay. And I'm going to just kind of represent to you that there is a chance in this case that the deposition today, either in whole or in part, would be made available to the judge in this case. Is that something that you're aware of? Yes. Will anything prevent you from giving truthful and accurate testimony today? I don't understand the question. Is there anything that would prevent you from giving truthful testimony today at this deposition? Medications, family issues, is there anything kind of in your life that would prevent you from giving truthful testimony. No.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q	recording everything that we say to one another. So I think it's important that we don't talk over each other. That's more an issue for the lawyers as opposed to the witnesses so I can promise you I will do my best to let you finish your answers before I ask another question, and reciprocally, I would just ask that you wait to provide an answer until I finish my question. Does that make sense? Yes. And if you don't understand a question, please tell me, and I'll be happy to rephrase or make an effort to reclarify. If you don't do that and you respond to the question, I'm going to assume that you have understood the question. Okay? Okay. And as well, I would just ask you given the fact that we have a court reporter here transcribing the deposition that I'd ask that you just avoid	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q A Q	Obviously, you were just sworn in. You do know that you're under oath, correct? Yes. Okay. And I'm going to just kind of represent to you that there is a chance in this case that the deposition today, either in whole or in part, would be made available to the judge in this case. Is that something that you're aware of? Yes. Will anything prevent you from giving truthful and accurate testimony today? I don't understand the question. Is there anything that would prevent you from giving truthful testimony today at this deposition? Medications, family issues, is there anything kind of in your life that would prevent you from giving truthful testimony. No. Okay. I assume that you know that this is a
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q	recording everything that we say to one another. So I think it's important that we don't talk over each other. That's more an issue for the lawyers as opposed to the witnesses so I can promise you I will do my best to let you finish your answers before I ask another question, and reciprocally, I would just ask that you wait to provide an answer until I finish my question. Does that make sense? Yes.  And if you don't understand a question, please tell me, and I'll be happy to rephrase or make an effort to reclarify. If you don't do that and you respond to the question, I'm going to assume that you have understood the question. Okay? Okay.  And as well, I would just ask you given the fact that we have a court reporter here transcribing the deposition that I'd ask that you just avoid nonverbal cues so just make sure your responses	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A Q	Obviously, you were just sworn in. You do know that you're under oath, correct? Yes. Okay. And I'm going to just kind of represent to you that there is a chance in this case that the deposition today, either in whole or in part, would be made available to the judge in this case. Is that something that you're aware of? Yes. Will anything prevent you from giving truthful and accurate testimony today? I don't understand the question. Is there anything that would prevent you from giving truthful testimony today at this deposition? Medications, family issues, is there anything kind of in your life that would prevent you from giving truthful testimony. No. Okay. I assume that you know that this is a lawsuit that challenges portions of what the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q	recording everything that we say to one another. So I think it's important that we don't talk over each other. That's more an issue for the lawyers as opposed to the witnesses so I can promise you I will do my best to let you finish your answers before I ask another question, and reciprocally, I would just ask that you wait to provide an answer until I finish my question. Does that make sense? Yes. And if you don't understand a question, please tell me, and I'll be happy to rephrase or make an effort to reclarify. If you don't do that and you respond to the question, I'm going to assume that you have understood the question. Okay? Okay. And as well, I would just ask you given the fact that we have a court reporter here transcribing the deposition that I'd ask that you just avoid	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q A Q	Obviously, you were just sworn in. You do know that you're under oath, correct? Yes. Okay. And I'm going to just kind of represent to you that there is a chance in this case that the deposition today, either in whole or in part, would be made available to the judge in this case. Is that something that you're aware of? Yes. Will anything prevent you from giving truthful and accurate testimony today? I don't understand the question. Is there anything that would prevent you from giving truthful testimony today at this deposition? Medications, family issues, is there anything kind of in your life that would prevent you from giving truthful testimony. No. Okay. I assume that you know that this is a

_					
		9			11
1		in this case?	1		that we are calling the Freedom from
	A	I would push back against the title of that.	2		Discrimination Law in this deposition.
3	Q	Please do. Yes. How so?	3	A	PL 004 through?
4	Α	So if you are talking about RSA 354-A:29 through	4	Q	004 to 007.
5	_	34, is that what you're asking me?	5	Α	Okay. So to answer your question, there's a bit
6	Q	That is. Do you understand that those are the	6		of a discrepancy. So are you asking me if pages
7		provisions of New Hampshire law that are being	7		4 through 7 are relative to 354-A and the
8		challenged in this case?	8		section entitled Right to Freedom from
9	Α	Yes.	9		Discrimination in Public Workplaces in Education
	Q	If I were to call those provisions that are	10		or is there an additional question that you're
11		being challenged "HB 2," and I wouldn't be	11		asking?
12		referencing the entire bill of HB 2, but if I	12		Sure. I guess my opening question is is it your
13		were to use the term "HB 2" to reference those	13		understanding that the unredacted language on
14		provisions 354-A:29 to 34, do we have a common	14		pages 4 and 7 of Exhibit 1 contain the statutory
15		understanding on just the title of the	15		language that's being challenged by the
16		challenged law?	16		Plaintiffs in this case?
17	Α	The preference would be the freedom from	17	Α	So my specific answer would be in part, yes.
18		discrimination in public workplaces and	18		There are other statutes that are listed there.
19		education because that's the name of the amended	19	Q	Okay. When I use the phrase in this case, the
20		section.	20		"Freedom from Discrimination Law" which is the
21	Q	Would you prefer that I call it the Freedom from	21		common terminology we discussed, the law being
22		Discrimination Law? I just want to make sure we	22		challenged in this case, is it your
23		have a common understanding on terminology.	23		understanding that we're referring to the
					12
		That's all. Would that he your preference?	1		language on pages 4 through 7 on Exhibit 12
1	Δ	That's all. Would that be your preference?	1 2	Δ	language on pages 4 through 7 on Exhibit 1?
1 2	Α	That's all. Would that be your preference? I can agree to that portion of the exact title.	2	Α	language on pages 4 through 7 on Exhibit 1? As it relates to 354-A, subsections 29 through
1 2 3		That's all. Would that be your preference? I can agree to that portion of the exact title. Yes.	2		language on pages 4 through 7 on Exhibit 1? As it relates to 354-A, subsections 29 through 34?
1 2 3 4	A Q	That's all. Would that be your preference? I can agree to that portion of the exact title. Yes. Okay. So if I were to use the term the Freedom	2 3 4	Q	language on pages 4 through 7 on Exhibit 1? As it relates to 354-A, subsections 29 through 34? Okay.
1 2 3 4 5		That's all. Would that be your preference? I can agree to that portion of the exact title. Yes. Okay. So if I were to use the term the Freedom from Discrimination Law in the course of this	2 3 4 5	Q A	language on pages 4 through 7 on Exhibit 1? As it relates to 354-A, subsections 29 through 34? Okay. Yes.
1 2 3 4 5 6		That's all. Would that be your preference? I can agree to that portion of the exact title. Yes. Okay. So if I were to use the term the Freedom from Discrimination Law in the course of this deposition, you would understand that what I'm	2 3 4 5 6	Q	language on pages 4 through 7 on Exhibit 1? As it relates to 354-A, subsections 29 through 34? Okay. Yes. And I'm going to just direct your attention to
1 2 3 4 5 6 7		That's all. Would that be your preference? I can agree to that portion of the exact title. Yes. Okay. So if I were to use the term the Freedom from Discrimination Law in the course of this deposition, you would understand that what I'm referring to are the provisions in New Hampshire	2 3 4 5 6 7	Q A	language on pages 4 through 7 on Exhibit 1? As it relates to 354-A, subsections 29 through 34? Okay. Yes. And I'm going to just direct your attention to just page 6 which deals with RSA 193:40. Do you
1 2 3 4 5 6 7 8	Q	That's all. Would that be your preference? I can agree to that portion of the exact title. Yes. Okay. So if I were to use the term the Freedom from Discrimination Law in the course of this deposition, you would understand that what I'm referring to are the provisions in New Hampshire law RSA 354-A:29 to 34.	2 3 4 5 6 7 8	Q A Q	language on pages 4 through 7 on Exhibit 1? As it relates to 354-A, subsections 29 through 34? Okay. Yes. And I'm going to just direct your attention to just page 6 which deals with RSA 193:40. Do you see that language?
1 2 3 4 5 6 7 8	Q A	That's all. Would that be your preference? I can agree to that portion of the exact title. Yes. Okay. So if I were to use the term the Freedom from Discrimination Law in the course of this deposition, you would understand that what I'm referring to are the provisions in New Hampshire law RSA 354-A:29 to 34. Yes.	2 3 4 5 6 7 8 9	Q A Q	language on pages 4 through 7 on Exhibit 1? As it relates to 354-A, subsections 29 through 34? Okay. Yes. And I'm going to just direct your attention to just page 6 which deals with RSA 193:40. Do you see that language? 193:40. I see that.
1 2 3 4 5 6 7 8 9 10	Q A	That's all. Would that be your preference? I can agree to that portion of the exact title. Yes. Okay. So if I were to use the term the Freedom from Discrimination Law in the course of this deposition, you would understand that what I'm referring to are the provisions in New Hampshire law RSA 354-A:29 to 34. Yes. Okay. I'm just going to just so again we have a	2 3 4 5 6 7 8 9	Q A Q	language on pages 4 through 7 on Exhibit 1? As it relates to 354-A, subsections 29 through 34? Okay. Yes. And I'm going to just direct your attention to just page 6 which deals with RSA 193:40. Do you see that language? 193:40. I see that. Yes. I would just, I don't know if you know
1 2 3 4 5 6 7 8 9 10 11	Q A	That's all. Would that be your preference? I can agree to that portion of the exact title. Yes. Okay. So if I were to use the term the Freedom from Discrimination Law in the course of this deposition, you would understand that what I'm referring to are the provisions in New Hampshire law RSA 354-A:29 to 34. Yes. Okay. I'm just going to just so again we have a common understanding on terminology, I'm just	2 3 4 5 6 7 8 9 10	Q A Q A	language on pages 4 through 7 on Exhibit 1? As it relates to 354-A, subsections 29 through 34? Okay. Yes. And I'm going to just direct your attention to just page 6 which deals with RSA 193:40. Do you see that language? 193:40. I see that. Yes. I would just, I don't know if you know this, but I will just represent to you again so
1 2 3 4 5 6 7 8 9 10 11 12	Q A	That's all. Would that be your preference? I can agree to that portion of the exact title. Yes. Okay. So if I were to use the term the Freedom from Discrimination Law in the course of this deposition, you would understand that what I'm referring to are the provisions in New Hampshire law RSA 354-A:29 to 34. Yes. Okay. I'm just going to just so again we have a common understanding on terminology, I'm just going to put before you what's been previously	2 3 4 5 6 7 8 9 10 11 12	Q A Q A Q	language on pages 4 through 7 on Exhibit 1?  As it relates to 354-A, subsections 29 through 34?  Okay.  Yes.  And I'm going to just direct your attention to just page 6 which deals with RSA 193:40. Do you see that language?  193:40. I see that.  Yes. I would just, I don't know if you know this, but I will just represent to you again so we have a common understanding that that portion
1 2 3 4 5 6 7 8 9 10 11 12 13	Q A	That's all. Would that be your preference? I can agree to that portion of the exact title. Yes. Okay. So if I were to use the term the Freedom from Discrimination Law in the course of this deposition, you would understand that what I'm referring to are the provisions in New Hampshire law RSA 354-A:29 to 34. Yes. Okay. I'm just going to just so again we have a common understanding on terminology, I'm just going to put before you what's been previously marked as Exhibit 1, and I am going to ask you	2 3 4 5 6 7 8 9 10 11 12 13	Q A Q A Q	language on pages 4 through 7 on Exhibit 1?  As it relates to 354-A, subsections 29 through 34?  Okay.  Yes.  And I'm going to just direct your attention to just page 6 which deals with RSA 193:40. Do you see that language?  193:40. I see that.  Yes. I would just, I don't know if you know this, but I will just represent to you again so we have a common understanding that that portion which is not in 354-A is also being challenged
1 2 3 4 5 6 7 8 9 10 11 12 13 14	Q A	That's all. Would that be your preference? I can agree to that portion of the exact title. Yes. Okay. So if I were to use the term the Freedom from Discrimination Law in the course of this deposition, you would understand that what I'm referring to are the provisions in New Hampshire law RSA 354-A:29 to 34. Yes. Okay. I'm just going to just so again we have a common understanding on terminology, I'm just going to put before you what's been previously marked as Exhibit 1, and I am going to ask you to just review this, Director Malachi, briefly,	2 3 4 5 6 7 8 9 10 11 12 13 14	Q A Q A Q	language on pages 4 through 7 on Exhibit 1?  As it relates to 354-A, subsections 29 through 34?  Okay.  Yes.  And I'm going to just direct your attention to just page 6 which deals with RSA 193:40. Do you see that language?  193:40. I see that.  Yes. I would just, I don't know if you know this, but I will just represent to you again so we have a common understanding that that portion which is not in 354-A is also being challenged by the Plaintiffs. So is that something that
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q A	That's all. Would that be your preference? I can agree to that portion of the exact title. Yes. Okay. So if I were to use the term the Freedom from Discrimination Law in the course of this deposition, you would understand that what I'm referring to are the provisions in New Hampshire law RSA 354-A:29 to 34. Yes. Okay. I'm just going to just so again we have a common understanding on terminology, I'm just going to put before you what's been previously marked as Exhibit 1, and I am going to ask you to just review this, Director Malachi, briefly, but I do want to represent to you that that	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q A Q A Q	language on pages 4 through 7 on Exhibit 1?  As it relates to 354-A, subsections 29 through 34?  Okay.  Yes.  And I'm going to just direct your attention to just page 6 which deals with RSA 193:40. Do you see that language?  193:40. I see that.  Yes. I would just, I don't know if you know this, but I will just represent to you again so we have a common understanding that that portion which is not in 354-A is also being challenged by the Plaintiffs. So is that something that you knew before today?
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q A Q	That's all. Would that be your preference? I can agree to that portion of the exact title. Yes. Okay. So if I were to use the term the Freedom from Discrimination Law in the course of this deposition, you would understand that what I'm referring to are the provisions in New Hampshire law RSA 354-A:29 to 34. Yes. Okay. I'm just going to just so again we have a common understanding on terminology, I'm just going to put before you what's been previously marked as Exhibit 1, and I am going to ask you to just review this, Director Malachi, briefly, but I do want to represent to you that that first page is a page created by me as Exhibit 1	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q A Q A Q	language on pages 4 through 7 on Exhibit 1?  As it relates to 354-A, subsections 29 through 34?  Okay.  Yes.  And I'm going to just direct your attention to just page 6 which deals with RSA 193:40. Do you see that language?  193:40. I see that.  Yes. I would just, I don't know if you know this, but I will just represent to you again so we have a common understanding that that portion which is not in 354-A is also being challenged by the Plaintiffs. So is that something that you knew before today?  I have knowledge about 354-A and subsections
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q A Q	That's all. Would that be your preference? I can agree to that portion of the exact title. Yes. Okay. So if I were to use the term the Freedom from Discrimination Law in the course of this deposition, you would understand that what I'm referring to are the provisions in New Hampshire law RSA 354-A:29 to 34. Yes. Okay. I'm just going to just so again we have a common understanding on terminology, I'm just going to put before you what's been previously marked as Exhibit 1, and I am going to ask you to just review this, Director Malachi, briefly, but I do want to represent to you that that first page is a page created by me as Exhibit 1 to the lawsuit that Majia/Philibotte Plaintiffs	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q A Q A Q A	language on pages 4 through 7 on Exhibit 1?  As it relates to 354-A, subsections 29 through 34?  Okay.  Yes.  And I'm going to just direct your attention to just page 6 which deals with RSA 193:40. Do you see that language?  193:40. I see that.  Yes. I would just, I don't know if you know this, but I will just represent to you again so we have a common understanding that that portion which is not in 354-A is also being challenged by the Plaintiffs. So is that something that you knew before today?  I have knowledge about 354-A and subsections dealing with :29 through :34.
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q	That's all. Would that be your preference? I can agree to that portion of the exact title. Yes. Okay. So if I were to use the term the Freedom from Discrimination Law in the course of this deposition, you would understand that what I'm referring to are the provisions in New Hampshire law RSA 354-A:29 to 34. Yes. Okay. I'm just going to just so again we have a common understanding on terminology, I'm just going to put before you what's been previously marked as Exhibit 1, and I am going to ask you to just review this, Director Malachi, briefly, but I do want to represent to you that that first page is a page created by me as Exhibit 1 to the lawsuit that Majia/Philibotte Plaintiffs filed in this case.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q A Q A Q	language on pages 4 through 7 on Exhibit 1?  As it relates to 354-A, subsections 29 through 34?  Okay.  Yes.  And I'm going to just direct your attention to just page 6 which deals with RSA 193:40. Do you see that language?  193:40. I see that.  Yes. I would just, I don't know if you know this, but I will just represent to you again so we have a common understanding that that portion which is not in 354-A is also being challenged by the Plaintiffs. So is that something that you knew before today?  I have knowledge about 354-A and subsections dealing with :29 through :34.  Do you have any knowledge with respect to
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q A Q	That's all. Would that be your preference? I can agree to that portion of the exact title. Yes. Okay. So if I were to use the term the Freedom from Discrimination Law in the course of this deposition, you would understand that what I'm referring to are the provisions in New Hampshire law RSA 354-A:29 to 34. Yes. Okay. I'm just going to just so again we have a common understanding on terminology, I'm just going to put before you what's been previously marked as Exhibit 1, and I am going to ask you to just review this, Director Malachi, briefly, but I do want to represent to you that that first page is a page created by me as Exhibit 1 to the lawsuit that Majia/Philibotte Plaintiffs filed in this case. So setting that cover page aside, I would	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q A Q A Q A Q	language on pages 4 through 7 on Exhibit 1?  As it relates to 354-A, subsections 29 through 34?  Okay.  Yes.  And I'm going to just direct your attention to just page 6 which deals with RSA 193:40. Do you see that language?  193:40. I see that.  Yes. I would just, I don't know if you know this, but I will just represent to you again so we have a common understanding that that portion which is not in 354-A is also being challenged by the Plaintiffs. So is that something that you knew before today?  I have knowledge about 354-A and subsections dealing with :29 through :34.  Do you have any knowledge with respect to 193:40?
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q	That's all. Would that be your preference? I can agree to that portion of the exact title. Yes. Okay. So if I were to use the term the Freedom from Discrimination Law in the course of this deposition, you would understand that what I'm referring to are the provisions in New Hampshire law RSA 354-A:29 to 34. Yes. Okay. I'm just going to just so again we have a common understanding on terminology, I'm just going to put before you what's been previously marked as Exhibit 1, and I am going to ask you to just review this, Director Malachi, briefly, but I do want to represent to you that that first page is a page created by me as Exhibit 1 to the lawsuit that Majia/Philibotte Plaintiffs filed in this case. So setting that cover page aside, I would just ask you to review pages marked PL 004 to PL	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q A Q A	language on pages 4 through 7 on Exhibit 1?  As it relates to 354-A, subsections 29 through 34?  Okay.  Yes.  And I'm going to just direct your attention to just page 6 which deals with RSA 193:40. Do you see that language?  193:40. I see that.  Yes. I would just, I don't know if you know this, but I will just represent to you again so we have a common understanding that that portion which is not in 354-A is also being challenged by the Plaintiffs. So is that something that you knew before today?  I have knowledge about 354-A and subsections dealing with :29 through :34.  Do you have any knowledge with respect to 193:40?  That's not the statute that I work with.
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q	That's all. Would that be your preference? I can agree to that portion of the exact title. Yes. Okay. So if I were to use the term the Freedom from Discrimination Law in the course of this deposition, you would understand that what I'm referring to are the provisions in New Hampshire law RSA 354-A:29 to 34. Yes. Okay. I'm just going to just so again we have a common understanding on terminology, I'm just going to put before you what's been previously marked as Exhibit 1, and I am going to ask you to just review this, Director Malachi, briefly, but I do want to represent to you that that first page is a page created by me as Exhibit 1 to the lawsuit that Majia/Philibotte Plaintiffs filed in this case. So setting that cover page aside, I would just ask you to review pages marked PL 004 to PL 007 and my question is going to be when you're	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A Q A Q	language on pages 4 through 7 on Exhibit 1?  As it relates to 354-A, subsections 29 through 34?  Okay.  Yes.  And I'm going to just direct your attention to just page 6 which deals with RSA 193:40. Do you see that language?  193:40. I see that.  Yes. I would just, I don't know if you know this, but I will just represent to you again so we have a common understanding that that portion which is not in 354-A is also being challenged by the Plaintiffs. So is that something that you knew before today?  I have knowledge about 354-A and subsections dealing with :29 through :34.  Do you have any knowledge with respect to 193:40?  That's not the statute that I work with.  Okay. We'll get to that. That's good to know
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q	That's all. Would that be your preference? I can agree to that portion of the exact title. Yes. Okay. So if I were to use the term the Freedom from Discrimination Law in the course of this deposition, you would understand that what I'm referring to are the provisions in New Hampshire law RSA 354-A:29 to 34. Yes. Okay. I'm just going to just so again we have a common understanding on terminology, I'm just going to put before you what's been previously marked as Exhibit 1, and I am going to ask you to just review this, Director Malachi, briefly, but I do want to represent to you that that first page is a page created by me as Exhibit 1 to the lawsuit that Majia/Philibotte Plaintiffs filed in this case. So setting that cover page aside, I would just ask you to review pages marked PL 004 to PL	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q A Q A Q	language on pages 4 through 7 on Exhibit 1?  As it relates to 354-A, subsections 29 through 34?  Okay.  Yes.  And I'm going to just direct your attention to just page 6 which deals with RSA 193:40. Do you see that language?  193:40. I see that.  Yes. I would just, I don't know if you know this, but I will just represent to you again so we have a common understanding that that portion which is not in 354-A is also being challenged by the Plaintiffs. So is that something that you knew before today?  I have knowledge about 354-A and subsections dealing with :29 through :34.  Do you have any knowledge with respect to 193:40?  That's not the statute that I work with.

					1510
		13			15
1		position?	1		every month. What are the general topics of
2	Α	I'm Executive Director of the New Hampshire	2		agenda items that are covered by the Commission
3		Commission on Human Rights.	3		when they meet monthly?
4	Q	How long have you been in that role?	4	Α	Those are the topics, the ones I just mentioned,
5	Α	Five years. Little over.	5		those are the topics that we cover.
6	Q	What are your duties in that role?	6	Q	Okay. Is the actual Commission involved in the
7	Α	They're a variety of duties. I could certainly,	7		processing and handling of complaints that come
8		maybe faster to give you my job description in	8		into the office or is that outside their
9		writing.	9		responsibilities?
10	Q	Well, I think maybe just give me a summary of	10	Α	Are you asking me if the Commission or the
11		how you would describe those duties.	11		Commissioners?
12	Α	I'm in charge of the New Hampshire Commission	12	Q	What would be the difference?
13		for Human Rights. The staff, media liaison,	13	Α	The Commission would be staff in this office.
14		legislative liaison, budgeting, liaison to the	14		The Commissioners would be the individuals.
15		Governor's office, other duties as assigned.	15	Q	Thank you. I appreciate that.
16	Q	When you say "other duties as assigned," who	16	Α	So I wasn't clear.
17		would be doing the assigning?	17	Q	I appreciate that. Are the Commissioners
18	Α	It could be the legislature could, the Governor	18		involved in processing complaints that come into
19		could, the Commissioners could.	19		the office?
20	Q	When you say "Commissioners," who are you	20	Α	If I understand your question, are you asking me
21		referring to?	21		if they have any involvement in charges that
22	Α	The Commissioners of the Commission.	22		come in?
23	Q	For Human Rights?	23	Q	Yes.
		. e. raman agmer	_		
		-			1.0
		14			16 Okay, They do.
1	A	Yes.	1	A	Okay. They do.
1 2	A Q	Yes. How many are there?	1 2		Okay. They do.  Could you describe that involvement generally?
1 2 3	A Q A	Yes. How many are there? There are 7.	1 2 3	A	Okay. They do.  Could you describe that involvement generally?  MR. KENISON-MARVIN: Objection.
1 2 3 4	A Q	Yes. How many are there? There are 7. How would you describe how your role interacts	1 2 3 4	A Q	Okay. They do.  Could you describe that involvement generally?  MR. KENISON-MARVIN: Objection.  Foundation. You can answer.
1 2 3 4 5	A Q A	Yes. How many are there? There are 7. How would you describe how your role interacts with the role of the Commissioners within the	1 2 3 4 5	A	Okay. They do.  Could you describe that involvement generally?  MR. KENISON-MARVIN: Objection.  Foundation. You can answer.  The Commissioners upon completion of an
1 2 3 4 5 6	A Q A Q	Yes. How many are there? There are 7. How would you describe how your role interacts with the role of the Commissioners within the Commission of Human Rights?	1 2 3 4 5 6	A Q	Okay. They do.  Could you describe that involvement generally?  MR. KENISON-MARVIN: Objection.  Foundation. You can answer.  The Commissioners upon completion of an investigation, there's an Investigating
1 2 3 4 5 6 7	A Q A Q	Yes. How many are there? There are 7. How would you describe how your role interacts with the role of the Commissioners within the Commission of Human Rights? Could you be more specific?	1 2 3 4 5 6 7	A Q	Okay. They do.  Could you describe that involvement generally?  MR. KENISON-MARVIN: Objection.  Foundation. You can answer.  The Commissioners upon completion of an investigation, there's an Investigating  Commissioner that's assigned to a charge who
1 2 3 4 5 6 7 8	A Q A Q	Yes. How many are there? There are 7. How would you describe how your role interacts with the role of the Commissioners within the Commission of Human Rights? Could you be more specific? Within the structure of the Commission for Human	1 2 3 4 5 6 7 8	A Q	Okay. They do.  Could you describe that involvement generally?  MR. KENISON-MARVIN: Objection.  Foundation. You can answer.  The Commissioners upon completion of an investigation, there's an Investigating  Commissioner that's assigned to a charge who would then make a finding of probable cause or
1 2 3 4 5 6 7 8	A Q A Q	Yes. How many are there? There are 7. How would you describe how your role interacts with the role of the Commissioners within the Commission of Human Rights? Could you be more specific? Within the structure of the Commission for Human Rights Commission, do you report to	1 2 3 4 5 6 7 8 9	A Q	Okay. They do.  Could you describe that involvement generally?  MR. KENISON-MARVIN: Objection.  Foundation. You can answer.  The Commissioners upon completion of an investigation, there's an Investigating  Commissioner that's assigned to a charge who would then make a finding of probable cause or no probable cause.
1 2 3 4 5 6 7 8 9	A Q A Q	Yes. How many are there? There are 7. How would you describe how your role interacts with the role of the Commissioners within the Commission of Human Rights? Could you be more specific? Within the structure of the Commission for Human Rights Commission, do you report to Commissioners, do they supervise you, how would	1 2 3 4 5 6 7 8 9	A Q	Okay. They do. Could you describe that involvement generally? MR. KENISON-MARVIN: Objection. Foundation. You can answer. The Commissioners upon completion of an investigation, there's an Investigating Commissioner that's assigned to a charge who would then make a finding of probable cause or no probable cause. So I just want to be clear. We'll get into kind
1 2 3 4 5 6 7 8 9 10 11	A Q A Q A Q	Yes. How many are there? There are 7. How would you describe how your role interacts with the role of the Commissioners within the Commission of Human Rights? Could you be more specific? Within the structure of the Commission for Human Rights Commission, do you report to Commissioners, do they supervise you, how would you describe that relationship?	1 2 3 4 5 6 7 8 9 10 11	A Q	Okay. They do. Could you describe that involvement generally? MR. KENISON-MARVIN: Objection. Foundation. You can answer. The Commissioners upon completion of an investigation, there's an Investigating Commissioner that's assigned to a charge who would then make a finding of probable cause or no probable cause. So I just want to be clear. We'll get into kind of what that process looks like in just a few
1 2 3 4 5 6 7 8 9 10 11 12	A Q A Q	Yes. How many are there? There are 7. How would you describe how your role interacts with the role of the Commissioners within the Commission of Human Rights? Could you be more specific? Within the structure of the Commission for Human Rights Commission, do you report to Commissioners, do they supervise you, how would you describe that relationship? I communicate with all of the Commissioners, but	1 2 3 4 5 6 7 8 9 10 11 12	A Q	Okay. They do. Could you describe that involvement generally? MR. KENISON-MARVIN: Objection. Foundation. You can answer. The Commissioners upon completion of an investigation, there's an Investigating Commissioner that's assigned to a charge who would then make a finding of probable cause or no probable cause. So I just want to be clear. We'll get into kind of what that process looks like in just a few minutes, but I just want to make sure I
1 2 3 4 5 6 7 8 9 10 11 12 13	A Q A Q A Q	Yes. How many are there? There are 7. How would you describe how your role interacts with the role of the Commissioners within the Commission of Human Rights? Could you be more specific? Within the structure of the Commission for Human Rights Commission, do you report to Commissioners, do they supervise you, how would you describe that relationship? I communicate with all of the Commissioners, but primarily the Chair of the Commission, and it	1 2 3 4 5 6 7 8 9 10 11 12 13	A Q	Okay. They do. Could you describe that involvement generally? MR. KENISON-MARVIN: Objection. Foundation. You can answer. The Commissioners upon completion of an investigation, there's an Investigating Commissioner that's assigned to a charge who would then make a finding of probable cause or no probable cause. So I just want to be clear. We'll get into kind of what that process looks like in just a few minutes, but I just want to make sure I understand the Investigating Commissioner is a
1 2 3 4 5 6 7 8 9 10 11 12 13 14	A Q A Q A Q	Yes. How many are there? There are 7. How would you describe how your role interacts with the role of the Commissioners within the Commission of Human Rights? Could you be more specific? Within the structure of the Commission for Human Rights Commission, do you report to Commissioners, do they supervise you, how would you describe that relationship? I communicate with all of the Commissioners, but primarily the Chair of the Commission, and it could be day to day, it could be we have a	1 2 3 4 5 6 7 8 9 10 11 12 13 14	A Q	Okay. They do. Could you describe that involvement generally? MR. KENISON-MARVIN: Objection. Foundation. You can answer. The Commissioners upon completion of an investigation, there's an Investigating Commissioner that's assigned to a charge who would then make a finding of probable cause or no probable cause. So I just want to be clear. We'll get into kind of what that process looks like in just a few minutes, but I just want to make sure I understand the Investigating Commissioner is a Commissioner on the Commission for Human Rights;
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	A Q A Q A Q	Yes. How many are there? There are 7. How would you describe how your role interacts with the role of the Commissioners within the Commission of Human Rights? Could you be more specific? Within the structure of the Commission for Human Rights Commission, do you report to Commissioners, do they supervise you, how would you describe that relationship? I communicate with all of the Commissioners, but primarily the Chair of the Commission, and it could be day to day, it could be we have a meeting every month. The Commission meets	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	A Q A	Okay. They do. Could you describe that involvement generally? MR. KENISON-MARVIN: Objection. Foundation. You can answer. The Commissioners upon completion of an investigation, there's an Investigating Commissioner that's assigned to a charge who would then make a finding of probable cause or no probable cause. So I just want to be clear. We'll get into kind of what that process looks like in just a few minutes, but I just want to make sure I understand the Investigating Commissioner is a Commissioner on the Commission for Human Rights; is that fair to say?
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A Q A Q A Q	Yes. How many are there? There are 7. How would you describe how your role interacts with the role of the Commissioners within the Commission of Human Rights? Could you be more specific? Within the structure of the Commission for Human Rights Commission, do you report to Commissioners, do they supervise you, how would you describe that relationship? I communicate with all of the Commissioners, but primarily the Chair of the Commission, and it could be day to day, it could be we have a meeting every month. The Commission meets monthly.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A Q A	Okay. They do. Could you describe that involvement generally? MR. KENISON-MARVIN: Objection. Foundation. You can answer. The Commissioners upon completion of an investigation, there's an Investigating Commissioner that's assigned to a charge who would then make a finding of probable cause or no probable cause. So I just want to be clear. We'll get into kind of what that process looks like in just a few minutes, but I just want to make sure I understand the Investigating Commissioner is a Commissioner on the Commission for Human Rights; is that fair to say? Yes.
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A Q A Q A Q	Yes. How many are there? There are 7. How would you describe how your role interacts with the role of the Commissioners within the Commission of Human Rights? Could you be more specific? Within the structure of the Commission for Human Rights Commission, do you report to Commissioners, do they supervise you, how would you describe that relationship? I communicate with all of the Commissioners, but primarily the Chair of the Commission, and it could be day to day, it could be we have a meeting every month. The Commission meets monthly. Okay. And outside the meetings that occur, what	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A Q A	Okay. They do. Could you describe that involvement generally? MR. KENISON-MARVIN: Objection. Foundation. You can answer. The Commissioners upon completion of an investigation, there's an Investigating Commissioner that's assigned to a charge who would then make a finding of probable cause or no probable cause. So I just want to be clear. We'll get into kind of what that process looks like in just a few minutes, but I just want to make sure I understand the Investigating Commissioner is a Commissioner on the Commission for Human Rights; is that fair to say? Yes. Okay. I kind of zoomed a little bit too far
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q A Q A Q	Yes. How many are there? There are 7. How would you describe how your role interacts with the role of the Commissioners within the Commission of Human Rights? Could you be more specific? Within the structure of the Commission for Human Rights Commission, do you report to Commissioners, do they supervise you, how would you describe that relationship? I communicate with all of the Commissioners, but primarily the Chair of the Commission, and it could be day to day, it could be we have a meeting every month. The Commission meets monthly. Okay. And outside the meetings that occur, what are the general topics of conversation that you	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q A	Okay. They do. Could you describe that involvement generally? MR. KENISON-MARVIN: Objection. Foundation. You can answer. The Commissioners upon completion of an investigation, there's an Investigating Commissioner that's assigned to a charge who would then make a finding of probable cause or no probable cause. So I just want to be clear. We'll get into kind of what that process looks like in just a few minutes, but I just want to make sure I understand the Investigating Commissioner is a Commissioner on the Commission for Human Rights; is that fair to say? Yes. Okay. I kind of zoomed a little bit too far forward. I did want to get to your tenure, your
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A Q A Q A Q A	Yes. How many are there? There are 7. How would you describe how your role interacts with the role of the Commissioners within the Commission of Human Rights? Could you be more specific? Within the structure of the Commission for Human Rights Commission, do you report to Commissioners, do they supervise you, how would you describe that relationship? I communicate with all of the Commissioners, but primarily the Chair of the Commission, and it could be day to day, it could be we have a meeting every month. The Commission meets monthly. Okay. And outside the meetings that occur, what are the general topics of conversation that you have with the Chair of the Commission?	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A Q A	Okay. They do. Could you describe that involvement generally? MR. KENISON-MARVIN: Objection. Foundation. You can answer. The Commissioners upon completion of an investigation, there's an Investigating Commissioner that's assigned to a charge who would then make a finding of probable cause or no probable cause. So I just want to be clear. We'll get into kind of what that process looks like in just a few minutes, but I just want to make sure I understand the Investigating Commissioner is a Commissioner on the Commission for Human Rights; is that fair to say? Yes. Okay. I kind of zoomed a little bit too far forward. I did want to get to your tenure, your work history before you took this job with the
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A Q A Q A	Yes. How many are there? There are 7. How would you describe how your role interacts with the role of the Commissioners within the Commission of Human Rights? Could you be more specific? Within the structure of the Commission for Human Rights Commission, do you report to Commissioners, do they supervise you, how would you describe that relationship? I communicate with all of the Commissioners, but primarily the Chair of the Commission, and it could be day to day, it could be we have a meeting every month. The Commission meets monthly.  Okay. And outside the meetings that occur, what are the general topics of conversation that you have with the Chair of the Commission? We talk about the status of affairs with the	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A	Okay. They do. Could you describe that involvement generally? MR. KENISON-MARVIN: Objection. Foundation. You can answer. The Commissioners upon completion of an investigation, there's an Investigating Commissioner that's assigned to a charge who would then make a finding of probable cause or no probable cause. So I just want to be clear. We'll get into kind of what that process looks like in just a few minutes, but I just want to make sure I understand the Investigating Commissioner is a Commissioner on the Commission for Human Rights; is that fair to say? Yes. Okay. I kind of zoomed a little bit too far forward. I did want to get to your tenure, your work history before you took this job with the HRC five years ago. So what was your place of
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q A Q A Q A	Yes. How many are there? There are 7. How would you describe how your role interacts with the role of the Commissioners within the Commission of Human Rights? Could you be more specific? Within the structure of the Commission for Human Rights Commission, do you report to Commissioners, do they supervise you, how would you describe that relationship? I communicate with all of the Commissioners, but primarily the Chair of the Commission, and it could be day to day, it could be we have a meeting every month. The Commission meets monthly.  Okay. And outside the meetings that occur, what are the general topics of conversation that you have with the Chair of the Commission? We talk about the status of affairs with the Commission. So caseload, legislation, budgets,	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q A	Okay. They do. Could you describe that involvement generally? MR. KENISON-MARVIN: Objection. Foundation. You can answer. The Commissioners upon completion of an investigation, there's an Investigating Commissioner that's assigned to a charge who would then make a finding of probable cause or no probable cause.  So I just want to be clear. We'll get into kind of what that process looks like in just a few minutes, but I just want to make sure I understand the Investigating Commissioner is a Commissioner on the Commission for Human Rights; is that fair to say?  Yes. Okay. I kind of zoomed a little bit too far forward. I did want to get to your tenure, your work history before you took this job with the HRC five years ago. So what was your place of employment before you took this position at the
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A Q A Q A	Yes. How many are there? There are 7. How would you describe how your role interacts with the role of the Commissioners within the Commission of Human Rights? Could you be more specific? Within the structure of the Commission for Human Rights Commission, do you report to Commissioners, do they supervise you, how would you describe that relationship? I communicate with all of the Commissioners, but primarily the Chair of the Commission, and it could be day to day, it could be we have a meeting every month. The Commission meets monthly.  Okay. And outside the meetings that occur, what are the general topics of conversation that you have with the Chair of the Commission? We talk about the status of affairs with the	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A Q	Okay. They do. Could you describe that involvement generally? MR. KENISON-MARVIN: Objection. Foundation. You can answer. The Commissioners upon completion of an investigation, there's an Investigating Commissioner that's assigned to a charge who would then make a finding of probable cause or no probable cause. So I just want to be clear. We'll get into kind of what that process looks like in just a few minutes, but I just want to make sure I understand the Investigating Commissioner is a Commissioner on the Commission for Human Rights; is that fair to say? Yes. Okay. I kind of zoomed a little bit too far forward. I did want to get to your tenure, your work history before you took this job with the HRC five years ago. So what was your place of

_					
,	_	17	4	۸	19
1 2		What was your role at Hearst, Inc.? So specifically I worked for WMUR, and I was	1 2	A Q	Yes.
3	А	the, what it's called, Public Service Manager.	3	Q	Can you describe for me what that process looks like?
4	Q	And could you give me the approximate duration	4	Α	Someone who believes they've been discriminated
5	Q	of that employment using years? You don't have	5	^	•
		· · · · · · · · · · · · · · · · · · ·	6		against will make a call, and if the context of what they're alleging meets prima facie then a
6	۸	to give me months.	7		charge is docketed, the other party is noticed,
7		Approximately six years.			and then there would be an investigation of the
8	Q	Could you give me the years, that six-year	8		·
9		range? Was that 2000 when to when?	9	_	charge.
10		I believe it was 2012 to 2018.	10	Q	Okay. I'm going to mark Exhibit 53.
11		,	11	_	(Exhibit 53 marked for identification)
12		Human Rights Commission?	12	Q	I put before you a document that's marked as
13			13		Exhibit 53. Do you have Exhibit 53 in front of
14		,	14		you?
15		Hearst, Inc.?	15	Α	It looks like that's what it says here.
16		· ·	16	Q	Okay. So I would just ask you to just review
17		charities, and other nonprofits. Responsibility	17		Exhibit 53. I'm just going to have some
18		for public-facing events where the TV station	18		questions about it so let me know when you're
19		was involved and other duties.	19		finished reviewing it.
20		5 5 5	20		Have you reviewed Exhibit 53?
21		discussion with complaints.	21	Α	I have looked at it, yes.
22	<u> </u>	Could you just describe how the Human	22	Q	Great. Thank you. Have you seen Exhibit 53
23	3	Rights Commission processes complaints?	23		before?
		18			20
1		18 MR. KENISON-MARVIN: Objection. Foundation	1	Α	20 Exhibit 53?
1 2		MR. KENISON-MARVIN: Objection. Foundation and vague.	1 2	A Q	Exhibit 53? Yes.
	Q	MR. KENISON-MARVIN: Objection. Foundation			Exhibit 53?
2	Q	MR. KENISON-MARVIN: Objection. Foundation and vague.  Let me ask this. Does the Human Rights	2	Q	Exhibit 53? Yes.
2	Q	MR. KENISON-MARVIN: Objection. Foundation and vague.	2 3 4	Q A	Exhibit 53? Yes. No. Exhibit 53 at least to me looks like a letter
3 4	Q	MR. KENISON-MARVIN: Objection. Foundation and vague.  Let me ask this. Does the Human Rights  Commission process complaints made by members of the public under the law against discrimination?	2	Q A	Exhibit 53? Yes. No. Exhibit 53 at least to me looks like a letter from you dated March 4th, 2022, to
2 3 4 5 6	Q	MR. KENISON-MARVIN: Objection. Foundation and vague.  Let me ask this. Does the Human Rights  Commission process complaints made by members of the public under the law against discrimination?  MR. KENISON-MARVIN: Objection. Vague.	2 3 4 5 6	Q A	Exhibit 53? Yes. No. Exhibit 53 at least to me looks like a letter from you dated March 4th, 2022, to Representative DiLorenzo. Have I accurately
2 3 4 5 6		MR. KENISON-MARVIN: Objection. Foundation and vague.  Let me ask this. Does the Human Rights  Commission process complaints made by members of the public under the law against discrimination?	2 3 4 5 6 7	Q A Q	Exhibit 53? Yes. No. Exhibit 53 at least to me looks like a letter from you dated March 4th, 2022, to Representative DiLorenzo. Have I accurately described Exhibit 53?
2 3 4 5 6 7		MR. KENISON-MARVIN: Objection. Foundation and vague.  Let me ask this. Does the Human Rights  Commission process complaints made by members of the public under the law against discrimination?  MR. KENISON-MARVIN: Objection. Vague.  Is there something more specific that you can	2 3 4 5 6 7 8	Q A	Exhibit 53? Yes. No. Exhibit 53 at least to me looks like a letter from you dated March 4th, 2022, to Representative DiLorenzo. Have I accurately described Exhibit 53? As it appears here, yes, but I'm not sure unless
2 3 4 5 6 7 8 9	Α	MR. KENISON-MARVIN: Objection. Foundation and vague.  Let me ask this. Does the Human Rights  Commission process complaints made by members of the public under the law against discrimination?  MR. KENISON-MARVIN: Objection. Vague.  Is there something more specific that you can offer	2 3 4 5 6 7 8 9	Q A Q	Exhibit 53? Yes. No. Exhibit 53 at least to me looks like a letter from you dated March 4th, 2022, to Representative DiLorenzo. Have I accurately described Exhibit 53? As it appears here, yes, but I'm not sure unless I compare it to something that I wrote to know
2 3 4 5 6 7 8 9	A Q A	MR. KENISON-MARVIN: Objection. Foundation and vague.  Let me ask this. Does the Human Rights  Commission process complaints made by members of the public under the law against discrimination?  MR. KENISON-MARVIN: Objection. Vague.  Is there something more specific that you can offer  I'm afraid not.  to allow me to answer?	2 3 4 5 6 7 8 9	Q A Q	Exhibit 53? Yes. No. Exhibit 53 at least to me looks like a letter from you dated March 4th, 2022, to Representative DiLorenzo. Have I accurately described Exhibit 53? As it appears here, yes, but I'm not sure unless I compare it to something that I wrote to know if this is exactly the same thing.
2 3 4 5 6 7 8 9	A Q A Q	MR. KENISON-MARVIN: Objection. Foundation and vague.  Let me ask this. Does the Human Rights  Commission process complaints made by members of the public under the law against discrimination?  MR. KENISON-MARVIN: Objection. Vague.  Is there something more specific that you can offer  I'm afraid not.  to allow me to answer?  My question is pretty direct. Yes or no, does	2 3 4 5 6 7 8 9 10	Q A Q	Exhibit 53? Yes. No. Exhibit 53 at least to me looks like a letter from you dated March 4th, 2022, to Representative DiLorenzo. Have I accurately described Exhibit 53? As it appears here, yes, but I'm not sure unless I compare it to something that I wrote to know if this is exactly the same thing. Well, I can submit to you that this is a
2 3 4 5 6 7 8 9 10	A Q A Q	MR. KENISON-MARVIN: Objection. Foundation and vague.  Let me ask this. Does the Human Rights  Commission process complaints made by members of the public under the law against discrimination?  MR. KENISON-MARVIN: Objection. Vague.  Is there something more specific that you can offer  I'm afraid not.  to allow me to answer?  My question is pretty direct. Yes or no, does the New Hampshire Commission for Human Rights	2 3 4 5 6 7 8 9 10 11 12	Q A Q	Exhibit 53? Yes. No. Exhibit 53 at least to me looks like a letter from you dated March 4th, 2022, to Representative DiLorenzo. Have I accurately described Exhibit 53? As it appears here, yes, but I'm not sure unless I compare it to something that I wrote to know if this is exactly the same thing. Well, I can submit to you that this is a document that it seems that you copied to
2 3 4 5 6 7 8 9 10 11 12	A Q A Q	MR. KENISON-MARVIN: Objection. Foundation and vague.  Let me ask this. Does the Human Rights Commission process complaints made by members of the public under the law against discrimination?  MR. KENISON-MARVIN: Objection. Vague. Is there something more specific that you can offer I'm afraid not.  to allow me to answer?  My question is pretty direct. Yes or no, does the New Hampshire Commission for Human Rights process complaints made by the public under the	2 3 4 5 6 7 8 9 10 11 12 13	Q A Q	Exhibit 53? Yes. No. Exhibit 53 at least to me looks like a letter from you dated March 4th, 2022, to Representative DiLorenzo. Have I accurately described Exhibit 53? As it appears here, yes, but I'm not sure unless I compare it to something that I wrote to know if this is exactly the same thing. Well, I can submit to you that this is a document that it seems that you copied to Commissioner Frank Edelblut and that was
2 3 4 5 6 7 8 9 10	A Q A Q	MR. KENISON-MARVIN: Objection. Foundation and vague.  Let me ask this. Does the Human Rights  Commission process complaints made by members of the public under the law against discrimination?  MR. KENISON-MARVIN: Objection. Vague.  Is there something more specific that you can offer  I'm afraid not.  to allow me to answer?  My question is pretty direct. Yes or no, does the New Hampshire Commission for Human Rights	2 3 4 5 6 7 8 9 10 11 12 13 14	Q A Q	Exhibit 53? Yes. No. Exhibit 53 at least to me looks like a letter from you dated March 4th, 2022, to Representative DiLorenzo. Have I accurately described Exhibit 53? As it appears here, yes, but I'm not sure unless I compare it to something that I wrote to know if this is exactly the same thing. Well, I can submit to you that this is a document that it seems that you copied to Commissioner Frank Edelblut and that was produced to us by the Department of Education.
2 3 4 5 6 7 8 9 10 11 12 13	A Q A Q	MR. KENISON-MARVIN: Objection. Foundation and vague.  Let me ask this. Does the Human Rights Commission process complaints made by members of the public under the law against discrimination?  MR. KENISON-MARVIN: Objection. Vague. Is there something more specific that you can offer I'm afraid not.  to allow me to answer?  My question is pretty direct. Yes or no, does the New Hampshire Commission for Human Rights process complaints made by the public under the law against discrimination?	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q A Q	Yes. No. Exhibit 53 at least to me looks like a letter from you dated March 4th, 2022, to Representative DiLorenzo. Have I accurately described Exhibit 53? As it appears here, yes, but I'm not sure unless I compare it to something that I wrote to know if this is exactly the same thing. Well, I can submit to you that this is a document that it seems that you copied to Commissioner Frank Edelblut and that was produced to us by the Department of Education. Any reason to think this is not an accurate
2 3 4 5 6 7 8 9 10 11 12	A Q A Q	MR. KENISON-MARVIN: Objection. Foundation and vague.  Let me ask this. Does the Human Rights Commission process complaints made by members of the public under the law against discrimination?  MR. KENISON-MARVIN: Objection. Vague. Is there something more specific that you can offer I'm afraid not.  to allow me to answer?  My question is pretty direct. Yes or no, does the New Hampshire Commission for Human Rights process complaints made by the public under the law against discrimination?  MR. KENISON-MARVIN: Freedom from Discrimination Law?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q A Q	Exhibit 53? Yes. No. Exhibit 53 at least to me looks like a letter from you dated March 4th, 2022, to Representative DiLorenzo. Have I accurately described Exhibit 53? As it appears here, yes, but I'm not sure unless I compare it to something that I wrote to know if this is exactly the same thing. Well, I can submit to you that this is a document that it seems that you copied to Commissioner Frank Edelblut and that was produced to us by the Department of Education. Any reason to think this is not an accurate reflection of a letter that you wrote on March
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A Q A Q	MR. KENISON-MARVIN: Objection. Foundation and vague.  Let me ask this. Does the Human Rights Commission process complaints made by members of the public under the law against discrimination?  MR. KENISON-MARVIN: Objection. Vague. Is there something more specific that you can offer I'm afraid not.  to allow me to answer?  My question is pretty direct. Yes or no, does the New Hampshire Commission for Human Rights process complaints made by the public under the law against discrimination?  MR. KENISON-MARVIN: Freedom from Discrimination Law? I'm actually just talking about 354-A here	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q A Q A	Yes. No. Exhibit 53 at least to me looks like a letter from you dated March 4th, 2022, to Representative DiLorenzo. Have I accurately described Exhibit 53? As it appears here, yes, but I'm not sure unless I compare it to something that I wrote to know if this is exactly the same thing. Well, I can submit to you that this is a document that it seems that you copied to Commissioner Frank Edelblut and that was produced to us by the Department of Education. Any reason to think this is not an accurate reflection of a letter that you wrote on March 4th to Representative DiLorenzo?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q A Q	MR. KENISON-MARVIN: Objection. Foundation and vague.  Let me ask this. Does the Human Rights Commission process complaints made by members of the public under the law against discrimination?  MR. KENISON-MARVIN: Objection. Vague. Is there something more specific that you can offer I'm afraid not.  to allow me to answer?  My question is pretty direct. Yes or no, does the New Hampshire Commission for Human Rights process complaints made by the public under the law against discrimination?  MR. KENISON-MARVIN: Freedom from Discrimination Law? I'm actually just talking about 354-A here generally. So I could, maybe I'll clarify my	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q	Yes. No. Exhibit 53 at least to me looks like a letter from you dated March 4th, 2022, to Representative DiLorenzo. Have I accurately described Exhibit 53? As it appears here, yes, but I'm not sure unless I compare it to something that I wrote to know if this is exactly the same thing. Well, I can submit to you that this is a document that it seems that you copied to Commissioner Frank Edelblut and that was produced to us by the Department of Education. Any reason to think this is not an accurate reflection of a letter that you wrote on March 4th to Representative DiLorenzo? Based on what this looks like here? Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q A Q : : : : Q	MR. KENISON-MARVIN: Objection. Foundation and vague.  Let me ask this. Does the Human Rights Commission process complaints made by members of the public under the law against discrimination?  MR. KENISON-MARVIN: Objection. Vague. Is there something more specific that you can offer I'm afraid not.  to allow me to answer?  My question is pretty direct. Yes or no, does the New Hampshire Commission for Human Rights process complaints made by the public under the law against discrimination?  MR. KENISON-MARVIN: Freedom from Discrimination Law? I'm actually just talking about 354-A here generally. So I could, maybe I'll clarify my question. I'm not getting into HB 2 right now,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q A Q A	Exhibit 53? Yes. No. Exhibit 53 at least to me looks like a letter from you dated March 4th, 2022, to Representative DiLorenzo. Have I accurately described Exhibit 53? As it appears here, yes, but I'm not sure unless I compare it to something that I wrote to know if this is exactly the same thing. Well, I can submit to you that this is a document that it seems that you copied to Commissioner Frank Edelblut and that was produced to us by the Department of Education. Any reason to think this is not an accurate reflection of a letter that you wrote on March 4th to Representative DiLorenzo? Based on what this looks like here? Yes. However, if I'm not comparing it to the signed
2 3 4 5 6 7 8 9 100 111 122 133 144 155 166 177 188 199 200	A Q A Q	MR. KENISON-MARVIN: Objection. Foundation and vague.  Let me ask this. Does the Human Rights Commission process complaints made by members of the public under the law against discrimination?  MR. KENISON-MARVIN: Objection. Vague. Is there something more specific that you can offer I'm afraid not.  to allow me to answer?  My question is pretty direct. Yes or no, does the New Hampshire Commission for Human Rights process complaints made by the public under the law against discrimination?  MR. KENISON-MARVIN: Freedom from Discrimination Law? I'm actually just talking about 354-A here generally. So I could, maybe I'll clarify my question. I'm not getting into HB 2 right now, and we will get there, but just generally with	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q A	Yes. No. Exhibit 53 at least to me looks like a letter from you dated March 4th, 2022, to Representative DiLorenzo. Have I accurately described Exhibit 53? As it appears here, yes, but I'm not sure unless I compare it to something that I wrote to know if this is exactly the same thing. Well, I can submit to you that this is a document that it seems that you copied to Commissioner Frank Edelblut and that was produced to us by the Department of Education. Any reason to think this is not an accurate reflection of a letter that you wrote on March 4th to Representative DiLorenzo? Based on what this looks like here? Yes. However, if I'm not comparing it to the signed copy that I have, then I'm assuming that this is
2 3 4 4 5 6 7 8 9 100 111 122 133 144 155 166 177 188 199 200 211	A Q A Q	MR. KENISON-MARVIN: Objection. Foundation and vague.  Let me ask this. Does the Human Rights Commission process complaints made by members of the public under the law against discrimination?  MR. KENISON-MARVIN: Objection. Vague. Is there something more specific that you can offer I'm afraid not.  to allow me to answer?  My question is pretty direct. Yes or no, does the New Hampshire Commission for Human Rights process complaints made by the public under the law against discrimination?  MR. KENISON-MARVIN: Freedom from Discrimination Law? I'm actually just talking about 354-A here generally. So I could, maybe I'll clarify my question. I'm not getting into HB 2 right now, and we will get there, but just generally with respect to 354-A, does the Human Rights	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A	Yes. No. Exhibit 53 at least to me looks like a letter from you dated March 4th, 2022, to Representative DiLorenzo. Have I accurately described Exhibit 53? As it appears here, yes, but I'm not sure unless I compare it to something that I wrote to know if this is exactly the same thing. Well, I can submit to you that this is a document that it seems that you copied to Commissioner Frank Edelblut and that was produced to us by the Department of Education. Any reason to think this is not an accurate reflection of a letter that you wrote on March 4th to Representative DiLorenzo? Based on what this looks like here? Yes. However, if I'm not comparing it to the signed copy that I have, then I'm assuming that this is the same thing.
2 3 4 5 6 7 8 9 100 111 122 133 144 155 166 177 188 199 200	A Q A Q	MR. KENISON-MARVIN: Objection. Foundation and vague.  Let me ask this. Does the Human Rights Commission process complaints made by members of the public under the law against discrimination?  MR. KENISON-MARVIN: Objection. Vague. Is there something more specific that you can offer I'm afraid not.  to allow me to answer?  My question is pretty direct. Yes or no, does the New Hampshire Commission for Human Rights process complaints made by the public under the law against discrimination?  MR. KENISON-MARVIN: Freedom from Discrimination Law? I'm actually just talking about 354-A here generally. So I could, maybe I'll clarify my question. I'm not getting into HB 2 right now, and we will get there, but just generally with	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q A Q	Yes. No. Exhibit 53 at least to me looks like a letter from you dated March 4th, 2022, to Representative DiLorenzo. Have I accurately described Exhibit 53? As it appears here, yes, but I'm not sure unless I compare it to something that I wrote to know if this is exactly the same thing. Well, I can submit to you that this is a document that it seems that you copied to Commissioner Frank Edelblut and that was produced to us by the Department of Education. Any reason to think this is not an accurate reflection of a letter that you wrote on March 4th to Representative DiLorenzo? Based on what this looks like here? Yes. However, if I'm not comparing it to the signed copy that I have, then I'm assuming that this is the same thing.

	21			23
1	is.	1	Q	Is it an accurate reflection at the time it was
2 Q	I'm just going to refer you to the last page of	2		written on March 4th, 2022, of how the complaint
3	the document, page 10272. Does that look like	3		process works within the Human Rights
4	your signature?	4		Commission?
5 A	Yes, it does.	5	Α	As I sit here today reading this, it does appear
6 Q	So I just want to make sure that we have a	6		to be an accurate reflection of the
7	common understanding. Any reason for you to	7		Commissioner's process.
8	believe sitting here today without you having	8	Q	Sitting here today on May 24th, 2023, is this
9	cross-referenced this with a copy of your files	9		still an accurate reflection of how the
10	that this is not a true and accurate copy of a	10		complaint process works within the Human Rights
11	letter that you wrote on March 4th, 2022, to	11		Commission?
12	Representative DiLorenzo?	12	Α	Yes.
13 A	As I sit here today, it looks like it.	13	Q	Okay. You mentioned earlier in your testimony
14 G	Okay.	14		that a complaint could come in through a call.
15 A	Without having the opportunity to	15		I guess my question for you is what are the ways
16	cross-reference.	16		in which complaints come into the office?
17 C	Okay. I'm just going to direct your attention	17	Α	Can you clarify by what you mean regarding a
18	on page 2 of this document, Bates stamped 10270,	18		complaint?
19	the language that states, that begins with "To	19	Q	Well, you use the term on Exhibit 53, bottom of
20	fully answer your question," and goes on to the	20		page 10270, use the phrase "understanding of the
21	next page and ends in paragraph (d) ending with	21		complaint process." So what did you mean there
22	the language "to appeal in a public forum, New	22		when you said "complaint process"?
23	Hampshire Superior Court."	23	Α	So the Commission, regarding the word complaint,
	22			24
1	Do you see the language that I just	1		24 complaint for the Commission means a docketed
1 2		1 2		
	Do you see the language that I just			complaint for the Commission means a docketed
2	Do you see the language that I just referred to you in Exhibit 53?	2	Q	complaint for the Commission means a docketed charge. So is that the question that you're
2 3 A	Do you see the language that I just referred to you in Exhibit 53? So where specifically are you on page 2? So I make sure I'm in the same place with you.	2	Q	complaint for the Commission means a docketed charge. So is that the question that you're asking?
2 3 A 4	Do you see the language that I just referred to you in Exhibit 53?  So where specifically are you on page 2? So I make sure I'm in the same place with you.	2 3 4	Q	complaint for the Commission means a docketed charge. So is that the question that you're asking?  Well, my question just was just what did you
2 3 A 4 5 Q	Do you see the language that I just referred to you in Exhibit 53?  So where specifically are you on page 2? So I make sure I'm in the same place with you.  Subsection 5(a) begins with "to fully answer	2 3 4 5	Q	complaint for the Commission means a docketed charge. So is that the question that you're asking?  Well, my question just was just what did you mean when you said complaint process? So I want
2 3 A 4 5 Q 6	Do you see the language that I just referred to you in Exhibit 53?  So where specifically are you on page 2? So I make sure I'm in the same place with you.  Subsection 5(a) begins with "to fully answer your question." Do you see that language?  I do.	2 3 4 5 6	Q	complaint for the Commission means a docketed charge. So is that the question that you're asking?  Well, my question just was just what did you mean when you said complaint process? So I want to make sure I understand that your definition
2 3 A 4 5 Q 6 7 A	Do you see the language that I just referred to you in Exhibit 53?  So where specifically are you on page 2? So I make sure I'm in the same place with you.  Subsection 5(a) begins with "to fully answer your question." Do you see that language?  I do.	2 3 4 5 6 7	Q	complaint for the Commission means a docketed charge. So is that the question that you're asking?  Well, my question just was just what did you mean when you said complaint process? So I want to make sure I understand that your definition of complaint as it was used on the bottom of
2 3 A 4 5 Q 6 7 A 8 Q	Do you see the language that I just referred to you in Exhibit 53?  So where specifically are you on page 2? So I make sure I'm in the same place with you.  Subsection 5(a) begins with "to fully answer your question." Do you see that language?  I do.  And now the box of text that I'm just wanting to	2 3 4 5 6 7 8		complaint for the Commission means a docketed charge. So is that the question that you're asking?  Well, my question just was just what did you mean when you said complaint process? So I want to make sure I understand that your definition of complaint as it was used on the bottom of 10270 is a docketed complaint; is that what
2 3 A 4 5 Q 6 7 A 8 Q 9	Do you see the language that I just referred to you in Exhibit 53?  So where specifically are you on page 2? So I make sure I'm in the same place with you.  Subsection 5(a) begins with "to fully answer your question." Do you see that language?  I do.  And now the box of text that I'm just wanting to direct your attention to would end in subsection	2 3 4 5 6 7 8 9		complaint for the Commission means a docketed charge. So is that the question that you're asking?  Well, my question just was just what did you mean when you said complaint process? So I want to make sure I understand that your definition of complaint as it was used on the bottom of 10270 is a docketed complaint; is that what you're saying?
2 3 A 4 5 Q 6 7 A 8 Q 9	Do you see the language that I just referred to you in Exhibit 53?  So where specifically are you on page 2? So I make sure I'm in the same place with you.  Subsection 5(a) begins with "to fully answer your question." Do you see that language?  I do.  And now the box of text that I'm just wanting to direct your attention to would end in subsection (d) on the next page which begins with "both parties are afforded." Do you see that?	2 3 4 5 6 7 8 9	A Q	complaint for the Commission means a docketed charge. So is that the question that you're asking?  Well, my question just was just what did you mean when you said complaint process? So I want to make sure I understand that your definition of complaint as it was used on the bottom of 10270 is a docketed complaint; is that what you're saying?  Correct.
2 3 A 4 5 Q 6 7 A 8 Q 9 10	Do you see the language that I just referred to you in Exhibit 53?  So where specifically are you on page 2? So I make sure I'm in the same place with you.  Subsection 5(a) begins with "to fully answer your question." Do you see that language?  I do.  And now the box of text that I'm just wanting to direct your attention to would end in subsection (d) on the next page which begins with "both parties are afforded." Do you see that?  I do.	2 3 4 5 6 7 8 9 10	A Q	complaint for the Commission means a docketed charge. So is that the question that you're asking?  Well, my question just was just what did you mean when you said complaint process? So I want to make sure I understand that your definition of complaint as it was used on the bottom of 10270 is a docketed complaint; is that what you're saying?  Correct.  So what I'm going to, my question here is going
2 3 A 4 5 Q 6 7 A 8 Q 9 10 11 12 A	Do you see the language that I just referred to you in Exhibit 53?  So where specifically are you on page 2? So I make sure I'm in the same place with you.  Subsection 5(a) begins with "to fully answer your question." Do you see that language?  I do.  And now the box of text that I'm just wanting to direct your attention to would end in subsection (d) on the next page which begins with "both parties are afforded." Do you see that?  I do.  My question is just is that an accurate reflection of how the complaint process works	2 3 4 5 6 7 8 9 10 11 12	A Q	complaint for the Commission means a docketed charge. So is that the question that you're asking?  Well, my question just was just what did you mean when you said complaint process? So I want to make sure I understand that your definition of complaint as it was used on the bottom of 10270 is a docketed complaint; is that what you're saying?  Correct.  So what I'm going to, my question here is going to be a little bit different, but I appreciate that definition you provided.  What are the forms in which predocketed
2 3 A 4 5 Q 6 7 A 8 Q 9 10 11 12 A 13 C	Do you see the language that I just referred to you in Exhibit 53?  So where specifically are you on page 2? So I make sure I'm in the same place with you.  Subsection 5(a) begins with "to fully answer your question." Do you see that language?  I do.  And now the box of text that I'm just wanting to direct your attention to would end in subsection (d) on the next page which begins with "both parties are afforded." Do you see that?  I do.  My question is just is that an accurate	2 3 4 5 6 7 8 9 10 11 12 13	A Q	complaint for the Commission means a docketed charge. So is that the question that you're asking?  Well, my question just was just what did you mean when you said complaint process? So I want to make sure I understand that your definition of complaint as it was used on the bottom of 10270 is a docketed complaint; is that what you're saying?  Correct.  So what I'm going to, my question here is going to be a little bit different, but I appreciate that definition you provided.
2 3 A 4 5 Q 6 7 A 8 Q 9 10 11 12 A 13 C	Do you see the language that I just referred to you in Exhibit 53?  So where specifically are you on page 2? So I make sure I'm in the same place with you.  Subsection 5(a) begins with "to fully answer your question." Do you see that language?  I do.  And now the box of text that I'm just wanting to direct your attention to would end in subsection (d) on the next page which begins with "both parties are afforded." Do you see that?  I do.  My question is just is that an accurate reflection of how the complaint process works within the Human Rights Commission?	2 3 4 5 6 7 8 9 10 11 12 13 14	A Q	complaint for the Commission means a docketed charge. So is that the question that you're asking?  Well, my question just was just what did you mean when you said complaint process? So I want to make sure I understand that your definition of complaint as it was used on the bottom of 10270 is a docketed complaint; is that what you're saying?  Correct.  So what I'm going to, my question here is going to be a little bit different, but I appreciate that definition you provided.  What are the forms in which predocketed
2 3 A 4 5 Q 6 7 A 8 Q 9 10 11 12 A 13 G 14	Do you see the language that I just referred to you in Exhibit 53?  So where specifically are you on page 2? So I make sure I'm in the same place with you.  Subsection 5(a) begins with "to fully answer your question." Do you see that language?  I do.  And now the box of text that I'm just wanting to direct your attention to would end in subsection (d) on the next page which begins with "both parties are afforded." Do you see that?  I do.  My question is just is that an accurate reflection of how the complaint process works within the Human Rights Commission?  I will need to read this section.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A Q	complaint for the Commission means a docketed charge. So is that the question that you're asking?  Well, my question just was just what did you mean when you said complaint process? So I want to make sure I understand that your definition of complaint as it was used on the bottom of 10270 is a docketed complaint; is that what you're saying?  Correct.  So what I'm going to, my question here is going to be a little bit different, but I appreciate that definition you provided.  What are the forms in which predocketed complaints come into your office?  So a complaint is only something that's docketed. So that's why I'm asking for clarity.
2 3 A 4 5 Q 6 7 A 8 Q 9 10 11 12 A 13 G 14 15 16 A 17 G	Do you see the language that I just referred to you in Exhibit 53?  So where specifically are you on page 2? So I make sure I'm in the same place with you.  Subsection 5(a) begins with "to fully answer your question." Do you see that language?  I do.  And now the box of text that I'm just wanting to direct your attention to would end in subsection (d) on the next page which begins with "both parties are afforded." Do you see that?  I do.  My question is just is that an accurate reflection of how the complaint process works within the Human Rights Commission?  I will need to read this section.  Please do.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q A Q	complaint for the Commission means a docketed charge. So is that the question that you're asking?  Well, my question just was just what did you mean when you said complaint process? So I want to make sure I understand that your definition of complaint as it was used on the bottom of 10270 is a docketed complaint; is that what you're saying?  Correct.  So what I'm going to, my question here is going to be a little bit different, but I appreciate that definition you provided.  What are the forms in which predocketed complaints come into your office?  So a complaint is only something that's docketed. So that's why I'm asking for clarity.  What if I just used the phrase "allegations of
2 3 A 4 5 Q 6 7 A 8 Q 9 10 11 12 A 13 C 14 15 16 A 17 C 18 A 19 C	Do you see the language that I just referred to you in Exhibit 53?  So where specifically are you on page 2? So I make sure I'm in the same place with you.  Subsection 5(a) begins with "to fully answer your question." Do you see that language?  I do.  And now the box of text that I'm just wanting to direct your attention to would end in subsection (d) on the next page which begins with "both parties are afforded." Do you see that?  I do.  My question is just is that an accurate reflection of how the complaint process works within the Human Rights Commission?  I will need to read this section.  Please do.  Okay.  Director Malachi, have you reviewed the language	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A Q Q	complaint for the Commission means a docketed charge. So is that the question that you're asking?  Well, my question just was just what did you mean when you said complaint process? So I want to make sure I understand that your definition of complaint as it was used on the bottom of 10270 is a docketed complaint; is that what you're saying?  Correct.  So what I'm going to, my question here is going to be a little bit different, but I appreciate that definition you provided.  What are the forms in which predocketed complaints come into your office?  So a complaint is only something that's docketed. So that's why I'm asking for clarity.  What if I just used the phrase "allegations of discrimination," would that be an easier phrase
2 3 A 4 5 Q 6 7 A 8 Q 9 10 11 12 A 13 G 14 15 16 A 17 G 18 A 19 G	Do you see the language that I just referred to you in Exhibit 53?  So where specifically are you on page 2? So I make sure I'm in the same place with you.  Subsection 5(a) begins with "to fully answer your question." Do you see that language?  I do.  And now the box of text that I'm just wanting to direct your attention to would end in subsection (d) on the next page which begins with "both parties are afforded." Do you see that?  I do.  My question is just is that an accurate reflection of how the complaint process works within the Human Rights Commission?  I will need to read this section.  Please do.  Okay.  Director Malachi, have you reviewed the language that we just referenced moments ago, subsections	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A Q	complaint for the Commission means a docketed charge. So is that the question that you're asking?  Well, my question just was just what did you mean when you said complaint process? So I want to make sure I understand that your definition of complaint as it was used on the bottom of 10270 is a docketed complaint; is that what you're saying?  Correct.  So what I'm going to, my question here is going to be a little bit different, but I appreciate that definition you provided.  What are the forms in which predocketed complaints come into your office?  So a complaint is only something that's docketed. So that's why I'm asking for clarity.  What if I just used the phrase "allegations of discrimination," would that be an easier phrase to use?
2 3 A 4 5 Q 6 7 A 8 Q 9 10 11 12 A 13 C 14 15 16 A 17 C 18 A 19 C 20 21	Do you see the language that I just referred to you in Exhibit 53?  So where specifically are you on page 2? So I make sure I'm in the same place with you.  Subsection 5(a) begins with "to fully answer your question." Do you see that language?  I do.  And now the box of text that I'm just wanting to direct your attention to would end in subsection (d) on the next page which begins with "both parties are afforded." Do you see that?  I do.  My question is just is that an accurate reflection of how the complaint process works within the Human Rights Commission?  I will need to read this section.  Please do.  Okay.  Director Malachi, have you reviewed the language that we just referenced moments ago, subsections (a) through (d) on pages 10270 to 10271 on	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q A	complaint for the Commission means a docketed charge. So is that the question that you're asking?  Well, my question just was just what did you mean when you said complaint process? So I want to make sure I understand that your definition of complaint as it was used on the bottom of 10270 is a docketed complaint; is that what you're saying?  Correct.  So what I'm going to, my question here is going to be a little bit different, but I appreciate that definition you provided.  What are the forms in which predocketed complaints come into your office?  So a complaint is only something that's docketed. So that's why I'm asking for clarity.  What if I just used the phrase "allegations of discrimination," would that be an easier phrase to use?  Are you using allegation as something that's not
2 3 A 4 5 Q 6 7 A 8 Q 9 10 11 12 A 13 G 14 15 16 A 17 G 18 A 19 G	Do you see the language that I just referred to you in Exhibit 53?  So where specifically are you on page 2? So I make sure I'm in the same place with you.  Subsection 5(a) begins with "to fully answer your question." Do you see that language?  I do.  And now the box of text that I'm just wanting to direct your attention to would end in subsection (d) on the next page which begins with "both parties are afforded." Do you see that?  I do.  My question is just is that an accurate reflection of how the complaint process works within the Human Rights Commission?  I will need to read this section.  Please do.  Okay.  Director Malachi, have you reviewed the language that we just referenced moments ago, subsections (a) through (d) on pages 10270 to 10271 on Exhibit 53?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A	complaint for the Commission means a docketed charge. So is that the question that you're asking?  Well, my question just was just what did you mean when you said complaint process? So I want to make sure I understand that your definition of complaint as it was used on the bottom of 10270 is a docketed complaint; is that what you're saying?  Correct.  So what I'm going to, my question here is going to be a little bit different, but I appreciate that definition you provided.  What are the forms in which predocketed complaints come into your office?  So a complaint is only something that's docketed. So that's why I'm asking for clarity.  What if I just used the phrase "allegations of discrimination," would that be an easier phrase to use?

1 used at the bottom of 10270 where you state 2 investigate and pass upon allegations of 3 discrimination. 4 So I think my question to you is going to 5 be what are the forms in which allegations of 6 discrimination are made that come to your 7 office? 8 A A person who believes they've been discriminated 9 against can make a phone call and talk to us 1 about it. They can email us. They could drop 1 something off. 1 Q Okay. The language at the bottom of 10270 says that an assessment is made to ensure the 1 complainant has a prima facie case. Do you see 1 that language? 1 A Yes. 1 A dhigh the second sentence, the next page or additional sentence on the next page says, "If 1 this is the determination, the allegation of 102 discrimination is verified," there's some 2 Commission, and becomes a docketed charge of 2 discrimination whereby both parties are notified 2 I in writing.* Do you see that language? 2 A Yes. 3 C Is each econfusion now. So my question of discrimination to be docketed have repaired in the second sentence, the next page or additional sentence on the next page says, "If 2 this is the determination, the allegation of 2 discrimination is verified," there's some 2 bracketed language, then "submitted to the 22 commission, and becomes a docketed charge of 2 discrimination whereby both parties are notified 3 C So that question again. 4 For an allegation of discrimination to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 5 MR. KENISON-MARVIN: Same objections. 6 MR. KENISON-MARVIN: Same objections. 7 A Could you rask the there criteria relat me ask it this way. Are there criteria relat me ask it this way. Are there criteria relat me ask 13 it this way. Are there criteria for how a complaint must be submitted for it to be docketed?  1 MR. KENISON-MARVIN: Same objections. 1 A Could you rask the Auck, please? 1 (Requested portion read back by court reporter) 1 (Requested portion read back by court reporter) 2 (Requested portion read back by court reporter) 3 (Awy. Can you refer that page to me? a to hav	used at the bottom of 10270 where you state investigate and pass upon allegations of discrimination.  So I think my question to you is going to be what are the forms in which allegations of discrimination are made that come to your office?  A A person who believes they've been discriminated a gainst can make a phone call and talk to us about it. They can email us. They could drop something off.  Okay. The language at the bottom of 10270 says that an assessment is made to ensure the complainant has a prima facie case. Do you see that language?  And then the second sentence, the next page or additional sentence on the next page or discrimination is verified," there's some bracketed language, then 'submitted to the commission, and becomes a docketed drage of discrimination whereby both parties are notified in writing." Do you see that language?  A Yes.  I in writing." Do you see that language?  A Yes.  I in writing." Do you see that language?  A Yes.  I in writing." Do you see that language?  A Yes.  I in writing." Do you see that language?  A Yes.  I in writing." Do you see that language?  A Yes.  I in writing." Do you see that language?  A Yes.  I in writing." Do you see that language?  A Yes.  I in writing." Do you see that language?  A Yes.  I in writing." Do you see that language?  A Yes.  I in writing." Do you see that language?  A Yes.  I in writing." Do you see that language?  A Yes.  I in writing." Do you see that language?  A Yes.  I in writing." Do you see that language?  A Yes.  I in writing." Do you see that language?  A Yes.  I in writing. "Do you see that language?  A Yes.  I in writing." Do you see that language?  A Yes.  I in writing. "Do you see that language?  A Yes.  I in writing. "Do you see that language?  A Yes.  I in writing." Do you see that language?  A Yes.  A That's a compound question, and I'm only providing that for context. I'm going to reask the question of discrimination to be docketed, does the Commission?  A To answer your question, in reading 5(a), it clearly states that it must	used at the bottom of 10270 where you state investigate and pass upon allegations of discrimination.  So I think my question to you is going to be what are the forms in which allegations of discrimination are made that come to your office?  A A person who believes they've been discriminated against can make a phone call and talk to us about it. They can email us. They could drop against can make a phone call and talk to us about it. They can email us. They could drop against can make a phone call and talk to us about it. They can email us. They could drop against can make a phone call and talk to us about it. They can email us. They could drop against can make a phone call and talk to us about it. They can email us. They could drop against can make a phone call and talk to us about complains on a bout complains of discrimination is whife delations of discrimination are made that come to your office?  A Yes. The language at the bottom of 10270 says that an assessment is made to ensure the complainant has a prima facie case. Do you see that language? A Yes.  A Yes. A Yes. A Yes. A Yes. A Yes. A Yes. A Yes. A Yes. A Yes. A Yes. B I wirting." Do you see that language? A Yes. B I in writing." Do you see that language? A Yes. B I in writing." Do you see that language? A Yes. B I in writing." Do you see that language? A Yes. B I in writing." Do you see that language? A Yes. B I in writing." Do you see that language? A Yes. B I in writing." Do you see that language? A Yes. B I in writing." Do you see that language? A Yes. B I in writing." Do you see that language? A Yes. B I in writing." Do you see that language? A Yes. B I in writing." Do you see that language? B I I That's a compound question, and I'm only providing that for context. I'm going to reask the question of discrimination to be docketed, does the Commission have requirements as to the form in which the allegation is the question of discrimination to be docketed of the form in which the allegation is the question of discrimination to be docketed of the form	_					
2   investigate and pass upon allegations of discrimination.   3   Q   Gotcha.	discrimination.  So think my question to you is going to be what are the forms in which allegations of discrimination are made that come to your office?  A A person who believes they've been discriminated against can make a phone call and talk to us against can make a phone call and talk to us about it. They can email us. They could drop 10 about it. They can email us. They could drop 11 something off.  O Kay, The language at the bottom of 10270 says 12 complainant has a prima facie case. Do you see that language?  A A Yes.  And then the second sentence, the next page says, "If the bracketed language, then "submitted to the 21 compsision, and becomes a docketed charge of discrimination whereby both parties are notified." So that question is a complain the document of it for it to be docketed?  I in writing," Do you see that language?  A Yes.  O Let me ask the question more directly. Can a complain the document of it if to it is the question.  A I'm unclear as to the question.  A I'	discrimination.  So think my question to you is going to be what are the forms in which allegations of discrimination are made that come to your office?  A A person who believes they've been discriminated against can make a phone call and talk to us about it. They can email us. They could drop something off.  Q Okay. The language at the bottom of 10270 says that an assessment is made to ensure the complainant has a prima facie case. Do you see that language?  And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some and discrimination in verified," there's some practice and bracketed language, then "submitted to the 22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified  MR. KENISON-MARVIN: Same objections.  A I'm unclear as to the question more directly, Can a complaint he documented if it's oral?  MR. KENISON-MARVIN: Same objections.  A Could you ask the question read back by court reporter)  MR. KENISON-MARVIN: Same objections.  A Could you read it back, please?  MR. KENISON-MARVIN: Same objections.  A Could you read it back, please?  MR. KENISON-MARVIN: Same objections.  A Could you read it back, please?  MR. KENISON-MARVIN: Same objections.  A Could you read thack, please?  MR. KENISON-MARVIN: Same objections.  A Could you read thack, please?  MR. KENISON-MARVIN: Same objections.  A Could you read thack, please?  MR. KENISON-MARVIN: Same objections.  A Could you read thack, please?  MR. KENISON-MARVIN: Same objections.  A Could you read thack, please?  MR. KENISON-MARVIN: Same objections.  A Could you read thack, please?  MR. KENISON-MARVIN: Same objections.  A Could you read thack, please?  MR. KENISON-MARVIN: Same objections.  A Could you read thack, please?  MR. KENISON-MARVIN: Same objections.  A Could you read thack, please?  MR. KENISON-MARVIN: Same objections.  A Could you read thack, please?  MR. KENISON-MARVIN: Same objections.  A Coul	1			1		
discrimination.  3	discrimination.  4 So I think my question to you is going to be what are the forms in which allegations of discrimination are made that come to your office?  5 A A person who believes they've been discriminated against can make a phone call and talk to us about it. They can email us. They could drop 11 something off.  12 Q Okay. The language at the bottom of 10270 says that an assessment is made to ensure the complainant has a prima facie case. Do you see that language?  16 A Yes.  17 Q And then the second sentence, the next page or addictional sentence on the next page says. "If this is the determination, the allegation of discrimination is verified," there's some 20 discrimination is verified," there's some 21 bracketed language, then "submitted to the 22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified 23 discrimination whereby both parties are notified 4 submitted in for it to be docketed? A Yes.  3 Q Is there a form a complaint needs to be submitted in for it to be docketed? A Yes.  3 Q Is there a form a complaint needs to be submitted in for it to be docketed? A Yes.  4 Yes.  5 MR. KENISON-MARVIN: Objection. Vague. Mischaracterizes prior testimony.  7 Q Let me ask the question more directly. Can a complaint he documented if it's oral?  9 MR. KENISON-MARVIN: Same objections. MR. KENISON-MARVIN: Same objection	discrimination.  3			·			-
4 So I think my question to you is going to be what are the forms in which allegations of discrimination are made that come to your office?  8 A A person who believes they've been discriminated against can make a phone call and talk to us about it. They can email us. They could drop something off.  12 Q Okay. The language at the bottom of 10270 says that an assessment is made to ensure the complainant has a prima facie case. Do you see that language?  16 A Yes.  17 Q Add then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some 20 discrimination is verified, there's some 21 bracketed language, then "submitted to the 22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified 23 discrimination whereby both parties are notified 24 submitted in for it to be docketed?  5 MR. KENISON-MARVIN: Same objections. 17 A Could you sak the question bagsin, please? 18 Could you sak the question again, please? 19 (Requested portion read back by court reporter) 19 (Requested portion read back by court reporter) 19 (Requested portion in reading 5(a), it complaint must be submitted for it to be docketed? 10 more directly. Are there criteria let me ask it it his way. Are there criteria or how a complaint must be submitted for it to be docketed? 10 more directly. Are there criteria or how a complaint must be submitted for it to be docketed? 11 more directly. Are there criteria or how a complaint must be submitted for it to be docketed? 12 more directly. Are there criteria or how a complaint must be submitted for it to be docketed? 13 more directly. Are there criteria or how a complaint must be submitted for it to be docketed? 14 more directly. Are there criteria or how a complaint must be submitted for it to be docketed? 15 docketed? 16 more directly. Are there criteria or how a complaint must be submitted for it to be docketed? 16 more directly. Are there criteria or how a c	So I think my question to you is going to be what are the forms in which allegations of discrimination are made that come to your office?  A A person who believes they've been discriminated against can make a phone call and talk to us about it. They can email us. They could drop something off.  Q Okay. The language at the bottom of 10270 says that an assessment is made to ensure the complainant has a prima facie case. Do you see that language?  And then the second sentence, the next page or additional sentence on the next page says. "If this is the determination, the allegation of discrimination is verified," there's some additional sentence on the next page says. "If this is the determination, and becomes a docketed charge of discrimination whereby both parties are notified  To you have the determination, and becomes a docketed charge of discrimination whereby both parties are notified  I in writing." Do you see that language?  A Yes.  Q Is there a form a complaint needs to be submitted in for it to be docketed?  MR. KENISON-MARVIN: Same objections.  I Could you ask the question nead back by court reporter; the work page and the westion ask it this way. Are there criteria – let me ask it it this way. Are there criteria – let me ask it it it is way. Are there criteria in chow a conclusion, please?  MR. KENISON-MARVIN: Same objections.  To Could you ask the question read back by court reporter)  MR. KENISON-MARVIN: Same objections.  C Cound you read it back, please?  MR. KENISON-MARVIN: Same objections.  C Cound you read it back, please?  MR. KENISON-MARVIN: Same objections.  That question is confusing.	So I think my question to you is going to be what are the forms in which allegations of discrimination are made that come to your office?  A A person who believes they've been discriminated against can make a phone call and talk to us about it. They can email us. They could drop something off.  Okay. The language at the bottom of 10270 says that an assessment is made to ensure the complainant has a prima facie case. Do you see that language?  And then the second sentence, the next page says, 'If this is the determination, the allegation of discrimination is verified,' there's some additional sentence on the next page says, 'If this is the determination, the allegation of discrimination is verified,' there's some and discrimination whereby both parties are notified.  In writing,'' Do you see that language?  Yes.  I lim writing,'' Do you see that language?  Yes.  I lim writing,'' Do you see that language?  A Yes.  I lim writing,'' Do you see that language?  A Yes.  I lim writing,'' Do you see that language?  Yes.  I lim writing,'' Do you see that language?  Yes.  I lim writing,'' Do you see that language?  A Yes.  I lim writing,'' Do you see that language?  A Yes.  I lim writing,'' Do you see that language?  A Yes.  I lim writing,'' Do you see that language?  A Yes.  I lim writing,'' Do you see that language?  A Yes.  I lim writing,'' Do you see that language?  A Yes.  I lim writing,'' The you see that language?  A Yes.  I lim writing,'' The youn see that language?  A Yes.  I lim writing,'' The youn see that language?  A Yes.  I lim writing,'' The youn see that language?  A Yes.  I lim writing,'' The youn see that language?  A Yes.  I lim writing,'' The year youn discrimination to be docketed.  A Requested portion read back by court reporter)  A Requested portion read the duestion and writing, can they be oral, that's what I'm getting at there are requirement for them to be in writing, can they be oral, that's what I'm getting at the document of the year young the year young the year young the year young the year					0	-
5 be what are the forms in which allegations of discrimination are made that come to your office?  8 A A person who believes they've been discriminated against can make a phone call and talk to us about it. They can email us. They could drop about it. They can email us. They could drop something off.  12 Q Okay. The language at the bottom of 10270 says that an assessment is made to ensure the complainant has a prima facie case. Do you see that language?  16 A Yes.  17 Q And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some 21 bracketed language, then "submitted to the 22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified a submitted in for it to be docketed?  1 In writing." Do you see that language?  2 A Yes.  1 See the confusion now. So my question is igning to be for an allegation of discrimination to be docketed, does the Human Rights Commission have criteria — strike that.  1 A In unclear as to the question of 10270 says that an assessment is made to ensure the complaint has a prima facie case. Do you see that language or 1 additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some 20 Commission, and becomes a docketed charge of 21 bracketed language, then "submitted to the 21 commission, and becomes a docketed charge of 22 discrimination whereby both parties are notified 22 there a requirement for them to be in writing, 23 can they be oral, that's what I'm getting at.  2 A Yes. Is ee the confusion now. So my question of discrimination to be docketed, does the Commission have criteria— the me ask the question and in my which the allegation of allegations, and all I'm trying to get at is is the question again.  3 C Is there a form a complaint needs to be submitted for it to be docketed?  4 Mry Com't you read the question have free a requirement for them to be in writi	be what are the forms in which allegations of discrimination are made that come to your office?  A A person who believes they've been discriminated against can make a phone call and talk to us about it. They can email us. They could drop 11 something off.  C O Ckay. The language at the bottom of 10270 says that an assessment is made to ensure the 12 complainant has a prima facie case. Do you see that language?  And then the second sentence, the next page or 18 additional sentence on the next page says, "If this is the determination, the allegation of discrimination and the part of discrimination whereby both parties are notified 2 bracketed language, then "submitted to the 2 Commission, and becomes a docketed charge of discrimination whereby both parties are notified 3 line withing, 2 li	be what are the forms in which allegations of discrimination are made that come to your office?  8 A A person who believes they've been discriminated against can make a phone call and talk to us about it. They can email us. They could drop discrimination to be docketed, does the Human Rights Commission have criteria – strike that.  10 about it. They can email us. They could drop discrimination to be docketed, does the Human Rights Commission have criteria – strike that.  11 For an allegation of discrimination to be docketed, does the Commission have requirements as to the form in which the allegation is submitted to the control of the providing that has a prima facie case. Do you see that language?  15 A Are you ultimately asking about people communicating with us or a docketed charge? This is the determination, the allegation of discrimination is verified, there's some additional sentence on the next page says, "If this is the determination, the allegation of discrimination whereby both parties are notified to the Commission, and becomes a docketed charge of discrimination whereby both parties are notified to the submitted in for it to be docketed?  1 in writing." Do you see that language?  2 A Yes.  3 Q Is there a form a complaint needs to be submitted in for it to be docketed?  4 For an allegation of discrimination to be docketed charge? With you writh the question back just so we're all rowing in the same direction.  10 A I'm unclear as to the question.  11 A That's a compound question, and I'm only providing that for context. I'm going to reask the question so and the providing that for context. I'm going to reask the question is oral?  2 MR. KENISON-MARVIN: Objection. Vague.  3 MR. KENISON-MARVIN: Same objections.  3 MR. KENISON-MARVIN: Same objections.  4 To answer your question, in reading 5(a), it clearly states that it must be verified and verification is a notary seal.  10 A I'm unclear as to the question again, please?  11 In a complaint must be submitted for it to be docketed?  2 MR. KENISON-MARVIN						
6 discrimination are made that come to your office? 7 office? 8 A A person who believes they've been discriminated 9 against can make a phone call and talk to us about it. They can email us. They could drop 11 something off. 11 something off. 12 Q Okay. The language at the bottom of 10270 says 13 that an assessment is made to ensure the 14 complainant has a prima facie case. Do you see 15 that language? 16 A Yes. 17 Q And then the second sentence, the next page or 18 additional sentence on the next page says, "If 19 this is the determination, the allegation of 20 discrimination is verified," there's some 21 bracketed language, then "submitted to the 22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified 23 discrimination whereby both parties are notified 4 submitted in for it to be docketed? 4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 C I'm afraid I don't really know how to ask it this way. Are there criteria - let me ask it this way. Are there criteria for how a 14 C Cold you sak the question again, please? 15 MR. KENISON-MARVIN: Same objections. 16 Q Cloud you sak the question again, please? 18 Q Could you sak the question again, please? 19 (Requested portion read back by court reporter) 19 (Requested portion read back by court reporter	discrimination are made that come to your office?  A A person who believes they've been discriminated a against can make a phone call and talk to us about it. They can email us. They could drop something off.  10 Q Okay. The language at the bottom of 10270 says that an assessment is made to ensure the complainant has a prima facile case. Do you see that tanguage?  15 A Yes.  17 Q And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some and discrimination is verified, "there's some are provided discrimination whereby both parties are notified bracketed language, then "submitted to the submitted in for it to be docketed?  1 In writing," Do you see that language?  2 A Yes.  3 Q Is there a form a complaint needs to be submitted in for it to be docketed?  4 Submitted in for it to be docketed?  5 MR. KENISON-MARVIN: Objection, Vague. Mischaracterizes prior testimony.  4 Cut me ask the question more directly, Can a complaint be documented if it's oral?  5 MR. KENISON-MARVIN: Same objections.  10 Could you ask the question again, please?  11 Could you ask the question again, please?  12 MR. KENISON-MARVIN: Same objections.  13 Could you read it back, please?  14 Could you read it back, please?  15 MR. KENISON-MARVIN: Same objections.  16 Could you read it back, please?  17 Q Could you read it be docketed, repaired to the commission have cretieria and talk to us discrimination to be docketed, see the confusion now. So my question to discrimination to the docketed, does the Commission now. The that.  18 That's a compound question, and I'm only providing that for context. I'm getting at the document, the question is a notary seal.  19 (Na hat the confusion now hat it is oral?  20 (Na hat the confusion now. So my question is a note discrimination to be docketed, does the Commission now and all firm trying to get at is is the question again.  21 That's a compound question, and I'm only providing that f	discrimination are made that come to your office?  7					,,	
7 Q Yes. I see the confusion now. So my question is going to be for an allegation of discrimination to be docketed, does the Human against can make a phone call and talk to us something off.  10 about it. They can email us. They could drop something off.  11 something off.  12 Q Okay. The language at the bottom of 10270 says that an assessment is made to ensure the docketed, does the Commission have criteria: – strike that.  13 that an assessment is made to ensure the docketed, does the Commission have requirements as to the form in which the allegation is submitted to the commission?  15 that language?  16 A Yes.  17 Q And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some 20 discrimination is verified, "there's some 21 this is the determination, the allegation of discrimination is verified," there's some 22 docketed language, then "submitted to the 22 commission, and becomes a docketed charge of discrimination whereby both parties are notified 21 in writing," Do you see that language?  24 A Yes.  25 In writing," Do you see that language?  26 In writing," Do you see that language?  27 A Yes.  28 Commission have creteria - strike that.  29 MR. KENISON-MARVIN: Objection. Vague.  29 MR. KENISON-MARVIN: Same objections.  20 In afraid I don't really know how to ask it more directly. Are there criteria - let me ask it this way. Are there criteria in how a complaint must be submitted for it to be docketed?  20 My don't you read the question again.  21 That's a compound question, and I'm only providing that for context. I'm going to reask the question again.  22 That's a compound question, and I'm only providing that for context. I'm going to reask the question again.  23 That's a compound question, and I'm only providing that for context. I'm going to reask the	7 Office? 8 A A person who believes they've been discriminated a gainst can make a phone call and talk to us against can make a phone call and talk to us about it. They can email us. They could drop something off. 10 about it. They can email us. They could drop something off. 11 complainant has a prima facie case. Do you see that language? 12 do Okay. The language at the bottom of 10270 says that an assessment is made to ensure the complainant has a prima facie case. Do you see that language? 11 that an assessment is made to ensure the complainant has a prima facie case. Do you see that language? 12 A Yes. 13 And then the second sentence, the next page or additional sentence on the next page says. "If this is the determination, the allegation of additional sentence on the next page says." If this is the determination, the allegation of discrimination is verified," there's some 20 discrimination whereby both parties are notified 22 commission, and becomes a docketed charge of discrimination whereby both parties are notified 23 discrimination whereby both parties are notified 24 in writing. Do you see that language? 2 A Yes. 2 Q Is there a form a complaint needs to be submitted in for it to be docketed? 2 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a complaint be documented if it's oral? 8 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question again, please? 11 Gearly states that it must be verified and verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A Could you sak the question again, please? 13 Gequested portion read back by court reporter) 14 Could you read it back, please? 15 A Could you read it back, please? 16 A Could you read it back, please? 17 Q Okay. Can you refer that page to me? 18 A Could you read it back, please? 18 Q Could you read it back, please? 19 MR. KENISON-MARVIN: Same objections. 20 Witnessed by a notary and submitted to the Commission have requirements a legation of di	7 Q Yes. I see the confusion now. So my question is going to be for an allegation of against can make a phone call and talk to us a against can make a phone call and talk to us something off.  10 about it. They can email us. They could drop something off.  11 Q Okay. The language at the bottom of 10270 says state an assessment is made to ensure the complainant has a prima facie case. Do you see that language?  15 And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of additional sentence on the next page says," If this is the determination, the allegation of going in this is the determination, the allegation of going in the same direction.  18 And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of going with us or a docketed charge?  19 this is the determination of the commission, and becomes a docketed charge of discrimination is verified," there's some  20 discrimination is verified," there's some  21 bracketed language, then "submitted to the  22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified  23 distinct in the discounties of the commission have requirements are requirement for them to be in writing, can they be oral, that's what I'm getting at.  24 Yes.  25 I have a form a complaint needs to be submitted in for it to be docketed?  36 Mischaracterizes prior testimony.  37 Q Let me ask the question more directly. Can a complaint be documented if it's oral?  38 Mischaracterizes prior testimony.  39 MR. KENISON-MARVIN: Same objections.  30 A I'm unclear as to the question.  40 A I'm unclear as to the question.  50 A I'm unclear as to the question again, please?  51 MR. KENISON-MARVIN: Same objections.  52 A Could you read it back, please?  53 Q Could you read thate the criteria — let me ask it this way. Are there criteria for how a complaint must be submitted for it to be docketed?  41 A complaint mu			_			·
8 A A person who believes they've been discriminated against can make a phone call and talk to us about it. They can email us. They could drop about it. They can email us. They could drop as both it. They can email us. They could drop about it. They can email us. They could drop about it. They can email us. They could drop as something off.  12 Q Okay. The language at the bottom of 10270 says that an assessment is made to ensure the complainant has a prima facic case. Do you see that tanguage?  15 that tanguage?  16 A Yes.  17 Q And then the second sentence, the next page or additional sentence on the next page says. "If this is the determination, the allegation of discrimination is verified," there's some 21 bracketed language, then "submitted to the 22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified 22 there a form a complaint needs to be 3 ubmitted in for it to be docketed?  A Yes.  26 in writing." Do you see that language?  27 A Yes.  28 in writing. Do you see that language?  29 MR. KENISON-MARVIN: Objection. Vague.  20 May. The language and the bottom of 10270 says submitted to the Commission have requirements as to the form in which the allegation is submitted to the Commission?  29 MR. KENISON-MARVIN: Objection. Vague.  20 May the development of them to be in writing, can they be oral, that's what I'm getting at.  21 That's a compound question, and I'm only providing that for context. I'm going to reask the question again.  28 That's a compound question, and I'm only providing that for context. I'm going to reask the question again.  29 MR. KENISON-MARVIN: Same objections.  20 A I'm unclear as to the question.  21 Q I'm afraid I don't really know how to ask it it his way. Are there criteria - let me ask it complaint must be submitted for it to be docketed?  20 Kay. Can you refer that page to me?  21 Let me ask the question again, please?  22 A It is — so if you're looking at the document, the number 5 starts on page 2, and then (a) is on page 2, and then (a)	8 A A person who believes they've been discriminated against can make a phone call and talk to us about it. They can email us. They could drop 10 about it. They can email us. They could drop 11 something off.  2 Q Okay. The language at the bottom of 10270 says 14 complainant has a prima facie case. Do you see 15 that language? 15 A Yes. 16 A Yes. 17 Q And then the second sentence, the next page or all additional sentence on the next page says, "If 19 this is the determination, the allegation of discrimination is verified," there's some 20 discrimination is verified, "there's some 21 bracketed language, then "submitted to the 22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified 23 discrimination whereby both parties are notified 4 submitted to for the bedocketed? 18 wischaracterizes prior testimony. 19 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question again, please? 19 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 19 MR. KENISON-MARVIN: Same objections. 20 MR. KENISON-MARVIN: Same objections. 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing. 22 Window how to ask it it this way. Are there criteria – let me ask it occurred the commission have criteria – strike that. For an allegation of discrimination to be docketed, does the Commission have requirements as to the form in which the allegation is us to the form in which the allegation is us to the form in which the allegation is us to the form in which the allegation is as to the form in which the allegation is us to the form in which the allegation is as to the form in which the allegation is as to the form in which the allegation is as to the form in which the allegation is discrimination to be docketed, does the Commission have requirements as to the form in which the allegation is as to the form in which the allegation is discrimination to be docketed, does the Commission is the form in which the allegation is as to the form in which t	8 A A person who believes they've been discriminated against can make a phone call and talk to us about it. They can email us. They could drop 10 about it. They can email us. They could drop 11 something off. 12 Q Okay. The language at the bottom of 10270 says 13 that an assessment is made to ensure the 14 complainant has a prima facie case. Do you see 15 that language? 16 A Yes. 17 Q And then the second sentence, the next page or 18 additional sentence on the next page says, "If 19 this is the determination, the allegation of discrimination is verified," there's some 21 bracketed language, then "submitted to the Commission, and becomes a docketed charge of discrimination is verified," there's some 22 Commission, and becomes a docketed charge of discrimination in something. 26 In writing, "Do you see that language? 2 A Yes. 2 Is there a form a complaint needs to be 3 united in for it to be docketed? 4 Submitted in for it to be docketed? 4 Submitted in for it to be docketed? 4 Submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 11 Q I'm afraid I don't really know how to ask it more directly. Are there criteria for how a complaint must be submitted for it to be docketed? 4 Could you set the question again, please? 18 Q Could you read it back, please? 19 MR. KENISON-MARVIN: Same objections. 10 MR. KENISON-MARVIN: Same obj			-		O	
general against can make a phone call and talk to us about it. They can email us. They could drop about it. They can email us. They could drop to something off.  Qokay. The language at the bottom of 10270 says that an assessment is made to ensure the complainant has a prima facie case. Do you see that language?  A Yes.  A Are you ultimately asking about people communicating with us or a docketed charge?  Why don't you read the question back just so wait in writing. To you see that language?  In writing. Do you see that language?  In writing. Do you see that language?  In writing. Do you see that language?  MR. KENISON-MARVIN: Same objections.  MR. Kenison-Marvini dead to be in a writing, signed by the complainant, and	discrimination to be docketed, does the Human patients about it. They can email us. They could drop about it. They can email us. They could drop about it. They can email us. They could drop to something off.  Okay. The language at the bottom of 10270 says that an assessment is made to ensure the complainant has a prima facie case. Do you see that language?  A Yes.  And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some 20 discrimination is verified, "there's some 21 bracketed language, then "submitted to the Commission, and becomes a docketed charge of discrimination whereby both parties are notified  That's a compound question, and I'm unclear as to the question more directly. Can a complaint the documented if it's oral? markation is really don't really know how to ask it it this way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it shis way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it this way. Are there criteria relate me ask it it this w	discrimination to be docketed, does the Human kington to be docketed, does the Human kington for about it. They can email us. They could drop something off.  Okay. The language at the bottom of 10270 says that an assessment is made to ensure the complainant has a prima facie case. Do you see that that an assessment is made to ensure the complainant has a prima facie case. Do you see that thanguage?  A Yes.  Okay And then the second sentence, the next page or additional sentence on the next page says, "if this is the determination, the allegation of additional sentence on the next page says, "if this is the determination, the allegation of discrimination have requirements as to the form in which the allegation is submitted to the Commission?  A rey our ultimately asking about people communicating with us or a docketed charge?  Why don't you read the question back just so we're all rowing in the same direction.  Rights Commission have criteria – strike that.  For an allegation of discrimination to be docketed, does the Commission?  A rey our ultimately asking about people communicating with us or a docketed charge?  Why don't you read the question back just so we're all rowing in the same direction.  Rights Commission have critician – strike that.  For an allegation in discrimination to be docketed charge?  Why don't you read the question back just so we're all rowing in the same direction.  Requested portion read back by court reporter)  So that question is 'im referring to predocketed allegations, and all I'm trying to get at is is there a requirement for them to en writing, can they be oral, that's what I'm getting at.  That's a compound question, and I'm only providing that for context. I'm going to reask the question again.  For an allegation of discrimination to be docketed, does the Commission have requirements as to the form in which the allegations are submitted to the Commission?  I have a requirement for them to be docketed, alse there a requirement as to the form in which the allegations are submitted					_	· · · · · · · · · · · · · · · · · · ·
about it. They can email us. They could drop something off.  Q Okay. The language at the bottom of 10270 says that an assessment is made to ensure the complainant has a prima facie case. Do you see that language?  A Yes.  Q And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some confision, and becomes a docketed charge of discrimination is verified," there's some complainant has a difficult of the commission, and becomes a docketed charge of discrimination whereby both parties are notified  That's a compound question, and I'm only providing that for context. I'm going to reask the question more directly. Can a complaint be documented if it's oral?  MR. KENISON-MARVIN: Objections. MR. KENISON-MARVIN: Same objections. MR. KENISON-MARVIN: Same objections. MR. KENISON-MARVIN: Same objections. The Could you read it back, please?  MR. KENISON-MARVIN: Same objections. MR. Could you sak the question again, please? (Requested portion read back by court reporter)  Rights Commission have criteria strike that. For an allegation of discrimination to be docketed, does the Commission have requirements as to the form in which the allegation is submitted to the Commission?  A re you ultimately asking about people communicating with us or a docketed requestion back just so we're all rowing in the same direction.  (Requested portion read back by court reporter)  So that question is i'm referring to predocketed allegations, and all I'm trying to get at is is there a requirement for them to be in writing, can they be oral, that's what I'm getting at.  That's a compound question, and I'm only providing that for context. I'm going to reask the question again.  That's a compound question, and I'm only providing that for context. I'm going to reask the question again.  That's a compound question, and I'm only providing that for context. I'm going to reask the question again.  That's a compound question, and I'	about it. They can email us. They could drop something off.  Q Okay. The language at the bottom of 10270 says it that an assessment is made to ensure the complainant has a prima facie case. Do you see that language?  And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some additional sentence on the next page says, "If this is the determination, the allegation of discrimination is 'In referring to predocketed allegations are a requirement for them to be in writing, can they be oral, that's what I'm getting at.  26  1 in writing," Do you see that language?  2 A Yes.  3 Q Is there a form a complaint needs to be submitted in for it to be docketed?  4 submitted to the Commission?  4 Yes, Can a lategation is a more direction.  5 MR. KENISON-MARVIN: Same objections.  10 A I'm unclear as to the question again, please?  11 That's a compound question, and I'm trying to get at is is the question again.  12 For an allegation of discrimination to be docketed, does the Commission?	about it. They can email us. They could drop something off.  Qouncy. The language at the bottom of 10270 says that an assessment is made to ensure the complainant has a prima facie case. Do you see that language?  And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some and discrimination whereby both parties are notified discrimination whereby both parties are notified in writing," Do you see that language?  In writing," Do you see that language?  And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some and discrimination is verified," there's some and discrimination is verified," there's some and discrimination whereby both parties are notified and verification is a complaint new to be obcoketed danguage. The "In writing to get at is is there a requirement for them to be in writing, can they be oral, that's what I'm getting at.  That's a compound question, and I'm only providing that for context. I'm going to reask the question again.  That's a compound question, and I'm only providing that for context. I'm going to reask the question again.  A complaint be documented if it's oral?  MR. KENISON-MARVIN: Same objections.  A could you ask the question again, please?  A li is — so if you're looking at the document, the number 5 starts on page 2, and them (a) is it your testimony that it would need to be in a writing, signed by the complainant, and						
11 something off. 12 Q Okay. The language at the bottom of 10270 says that an assessment is made to ensure the complainant has a prima facie case. Do you see that language? 15 that an assessment is made to ensure the complainant has a prima facie case. Do you see that language? 16 A Yes. 17 Q And then the second sentence, the next page or additional sentence on the next page says. "If additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some 21 bracketed language, then "submitted to the Commission, and becomes a docketed charge of discrimination whereby both parties are notified 22 there a form a complaint needs to be 3 submitted in for it to be docketed? 1 A Yes. 2 In writing." Do you see that language? 2 A Yes. 3 Q Is there a form a complaint needs to be 3 submitted in for it to be docketed? 4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it more directly. Are there criteria – let me ask 11 to more directly. Are there criteria – let me ask 11 complaint must be submitted for it to be docketed? 1 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read the question is submitted to the Commission? 18 submitted in for it to be docketed? 20 Q Q Q Q Q Q Q Q Q Q Q Q Q Q Q Q Q Q	something off.  12 Q Okay. The language at the bottom of 10270 says that an assessment is made to ensure the conditional sentence is that language?  15 that language?  16 A Yes.  17 Q And then the second sentence, the next page of additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some conditional sentence on the next page says, "If this is the determination, and becomes a docketed charge of discrimination is verified," there's some conditional sentence on the next page says, "If this is the determination, and becomes a docketed charge of discrimination whereby both parties are notified conditions. The providing that for context. I'm going to reask the question more directly. Can a submitted in for it to be docketed?  1 In writing." Do you see that language?  2 A Yes.  3 Q Is there a form a complaint needs to be submitted in for it to be docketed?  4 Submitted in for it to be docketed?  5 MR. KENISON-MARVIN: Objection. Vague.  6 MS. KENISON-MARVIN: Same objections.  10 A I'm unclear as to the question more directly. Can a complaint be documented if it's oral?  9 MR. KENISON-MARVIN: Same objections.  10 A I'm unclear as to the question.  11 Q I'm afraid I don't really know how to ask it oncredited in for it to be docketed?  12 MR. KENISON-MARVIN: Same objections.  13 A Could you read the question as to the form in which the allegation is a totary evaluation is true requirements as to the question again, please?  15 A Are you ultimately asking about people communicating with us or a docketed charge?  16 Why don't you read the question back by court reporter)  18 we're all rowing in the same direction.  19 (Requested portion read back by court reporter)  20 So that question is i'm referring to predocketed and erequirement for them to be in writing, can they be oral, that's what I'm getting at the question again.  24 For an allegation of discrimination to be docketed, is it wour test that it must be verified and verification is a notary s	11 something off. 12 Q Okay. The language at the bottom of 10270 says. 13 that an assessment is made to ensure the 14 complainant has a prima facie case. Do you see 15 that language? 16 A Yes. 17 Q And then the second sentence, the next page or 18 additional sentence on the next page says. "If 19 this is the determination, the allegation of 20 discrimination is verified," there's some 21 bracketed language, then "submitted to the 22 Commission, and becomes a docketed charge of 23 discrimination whereby both parties are notified 24 in writing." Do you see that language? 25 MR. KENISON-MARVIN: Objection. Vague. 26 Mischaracterizes prior testimony. 27 Q Let me ask the question more directly. Can a 28 complaint be documented if it's oral? 29 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria — let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed. 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 MR. KENISON-MARVIN: Same objections. 20 Mry bis it confusing? 21 A That your cald the Question is as to the form in which the allegations is as to the form in which the allegation is as to the question again, please? 18 Q Could you ask the question again, please? 19 MR. KENISON-MARVIN: Same objections. 20 MR. KENISON-MARVIN: Same objections. 21 A That your cald the Question to be docketed, is 22 it your testimony that it would need to be in a writing, signed by the complainant, and witnessed by a notary and submitted to the 25 Commission; is that correct? 26 Let me ask the question again, please? 27 A That is correct.			-			
that an assessment is made to ensure the complainant has a prima facie case. Do you see that language?  14 Yes. 16 A Yes. 17 Q And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some 20 discrimination whereby both parties are notified in writing." Do you see that language?  18 In writing." Do you see that language?  29 A Yes. 20 In writing." Do you see that language? 21 In writing." Do you see that language? 22 A Yes. 23 Q Is there a form a complaint needs to be submitted in for it to be docketed? 24 A Yes. 25 Mischaracterizes prior testimony. 26 Mischaracterizes prior testimony. 27 Q Let me ask the question more directly. Can a complaint be documented if it's oral? 38 Complaint be documented if it's oral? 39 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it it this way. Are there criteria – let me ask docketed? 30 MR. KENISON-MARVIN: Same objections. 31 G Could you sak the question again, please? 32 MR. KENISON-MARVIN: Same objections. 33 MR. KENISON-MARVIN: Same objections. 44 Could you ask the question again, please? 45 MR. KENISON-MARVIN: Same objections. 46 MR. KENISON-MARVIN: Same objections. 47 Could you ask the question again, please? 48 Q Could you read it back, please? 49 Mr. Kenison-marving that for context. I'm going to reask the question again please? 50 A I'm unclear as to the question. 51 A Could you ask the question again, please? 52 A That's a compound question, and I'm only providing that for context. I'm going to reask the question again as the question again as the question again. Please? 51 That's a compound question, and I'm only providing that for context. I'm going to reask the question again. Please? 53 A I to answer your question, in reading 5(a), it clearly states that it must be verified and verification is a notary seal. 54 It is so if you're looking at the document, the number 5 star	that an assessment is made to ensure the that an assessment is made to ensure the that language?  15 that language?  16 A Yes.  17 Q And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some 20 discrimination is verified," there's some 21 bracketed language, then "submitted to the Commission, and becomes a docketed charge of discrimination whereby both parties are notified 23 discrimination whereby both parties are notified 24 in writing." Do you see that language?  1 in writing." Do you see that language?  2 A Yes.  3 Q Is there a form a complaint needs to be submitted in for it to be docketed?  4 Submitted in for it to be docketed?  5 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question read back by court reporter) 18 Could you read it back, please?  10 MR. KENISON-MARVIN: Same objections. 19 GRay Could you read the question have requirements as to the form in which the allegation is as to the form in which the allegation is as to the form in which the allegation is as to the form in which the allegation is as to the form in which the allegation is as to the form in which the allegation is as to the form in which the allegation is as to the form in which the allegation is as to the form in which the allegation is as to the form in which the allegation is 20 Why don't you read the question back pount reporter) 4 Nature of the question back providing that to to the commission?  2 That's a compound question, and I'm trying to get at is is there a requirement for them to be in writing, can they be oral, that's what I'm getting at.  2 That's a compound question, and I'm only providing that for context. I'm going to reask the question again.  3 That's a compound question, and I'm only providing that for context. I'm going to reask the question again.  4 That's a compound question, in reading 5(a), it clearly states that it must be verified and verification is a notary seal.  4 T	that an assessment is made to ensure the complainant has a prima facie case. Do you see that language?  15 that language?  16 A Yes.  17 Q And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some 21 bracketed language, then "submitted to the 22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified 23 discrimination whereby both parties are notified 24 Yes.  1 In writing." Do you see that language?  2 A Yes.  3 Q Is there a form a complaint needs to be 3 submitted in for it to be docketed?  4 Submitted in for it to be docketed?  5 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question again, please? 11 this way. Are there criteria relating and the formination to be docketed?  6 MR. KENISON-MARVIN: Same objections. 12 Q Could you read it back, please? 13 Q Could you read it back, please? 14 A That is correct.  18 Q Could you read it back, please? 16 A Yes. 15 A Are you utlimately asking about people communicating with us or a dockete charge? 16 A Yes you for with us or a dockete charge? 17 Q Why don't you read the question back just so we're all rowing in the same direction. (Requested portion read back by court reporter) 20 Q So that question is I'm referring to predocketed allegations, and all I'm trying to get at is is there a requirement to he in writing, can they be oral, that's what I'm getting at.  28 That's a compound question, and I'm only providing that for context. I'm going to reask the question apain, and verification is a notary seal. 17 O answer your question, in reading 5(a), it clearly states that it must be verified and verification is a notary seal. 19 Q Kay. Can you refer that page to me? 19 Could you ask the question again, please? 19 (Requested portion read back by court reporter) 19 With side the Commission? 19 Could you ask the question again, please? 19 (Requested portion read back by court reporter) 20 A R. K						
that an assessment is made to ensure the complainant has a prima facie case. Do you see that language?  15 A Yes.  16 A Yes.  17 Q And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some 21 bracketed language, then "submitted to the 22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified 23 discrimination whereby both parties are notified 24 in writing," Do you see that language?  1 In writing," Do you see that language?  2 A Yes.  3 Q Is there a form a complaint needs to be submitted in for it to be docketed?  4 Wishison-MARVIN: Same objections. In this way. Are there criteria re-let me ask it this way. Are there criteria re-let me ask the complaint must be submitted for it to be docketed?  4 Could you ask the question again, please?  18 Q Could you read it back, please?  19 MR. KENISON-MARVIN: Same objections. In the same direction. (Requested portion read back by court reporter) and the submitted to the Commission? Are you utilimately asking about people communicating with us or a docketed charge?  16 A Yes.  18 Why don't you read the question back just so we're all rowing in the same direction. (Requested portion read back by court reporter)  19 Why don't you read the question back just so we're all rowing in the same direction. (Requested portion read back please?  10 Why don't you read the question and the communicating with us or a docketed harge?  11 Why don't you read the question back just so we're all rowing in the same direction. (Requested portion read back by court reporter)  20 Q So that question is I'm referring to predocketed allegations, and all 'm trying to get at is is there a requirement for them to be in writing, can they be oral, that's what I'm getting at.  10 That's a compound question, and I'm only providing that for context. I'm going to reask the question of discrimination to be docketed, does the Commission?  10 A I'm u	that an assessment is made to ensure the complainant has a prima facie case. Do you see that language?  And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some communicating with us or a docketed charge?  Are you ultimately asking about people communicating with us or a docketed charge?  Why don't you read the question back just so we're all rowing in the same direction. (Requested portion read back by court reporter) communicating with us or a docketed charge?  Why don't you read the question back just so we're all rowing in the same direction. (Requested portion read back by court reporter) communicating with us or a docketed charge?  Why don't you read the question back just so we're all rowing in the same direction. (Requested portion read back by court reporter) communicating with us or a docketed charge?  Why don't you read the question back just so we're all rowing in the same direction. (Requested portion read back by court reporter)  That's a compound question, and I'm only providing that for context. I'm going to reask the question again.  That's a compound question, and I'm only providing that for context. I'm going to reask the question again.  For an allegation of discrimination to be docketed, does the Commission?  That's a compound question, and I'm only providing that for context. I'm going to reask the question again.  For an allegation of discrimination to be docketed, does the Commission have requirements as to the form in which the allegation is a submitted to the Commission?  That's a compound question, and I'm trying to get at is is there a requirement for them to be in a withing, can they be oral, that's what I'm getting at.  That's a compound question, and I'm only providing that for context. I'm going to reask the question again.  For an allegation of discrimination to be docketed the question is an other year.  That's a compound question, and I'm trying to get at	that an assessment is made to ensure the complainant has a prima facie case. Do you see that language?  15 that language?  16 A Yes.  17 Q And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some  21 bracketed language, then "submitted to the 22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified  22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified  23 discrimination whereby both parties are notified  24 A Yes.  25 In writing." Do you see that language?  26 In writing." Do you see that language?  27 A Yes.  28 In writing. That's a compound question, and I'm only providing that for context. I'm going to reask the question more directly. Can a complaint be documented if it's oral?  26 MR. KENISON-MARVIN: Objection. Vague.  27 G Let me ask the question more directly. Can a complaint be documented if it's oral?  28 MR. KENISON-MARVIN: Same objections.  29 MR. KENISON-MARVIN: Same objections.  20 Could you read it back, please?  21 (Requested portion read back by court reporter)  22 a dispations, and all 'Im trying to get at is is there a requirement for them to be in writing, can they be oral, that's what I'm getting at.  29 providing that for context. I'm going to reask the question again.  29 For an allegation of discrimination to be docketed, does the Commission?  30 A Is there a form a complaint needs to be docketed?  4 complaint the documented if it's oral?  5 MR. KENISON-MARVIN: Same objections.  4 complaint must be submitted for it to be docketed?  5 MR. KENISON-MARVIN: Same objections.  6 MR. KENISON-MARVIN: Same objections.  17 A Could you read it back, please?  18 Q Could you read it back, please?  19 (Requested portion read back by court reporter)  20 MR. KENISON-MARVIN: Same objections.  21 A That is correct.  22 A That is correct?						-
that language?  15 A Are you ultimately asking about people communicating with us or a docketed charge?  17 Q And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some 21 bracketed language, then "submitted to the 22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified 23 disrimination whereby both parties are notified 24 in writing." Do you see that language?  1 in writing." Do you see that language?  2 A Yes.  3 Q Is there a form a complaint needs to be submitted in for it to be docketed?  4 Ear ask the question more directly. Can a complaint be documented if it's oral?  9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it more directly. Are there criteria let me ask it this way. Are there criteria for how a 14 complaint must be submitted for it to be docketed?  10 MR. KENISON-MARVIN: Same objections. 14 Could you sak the question again, please?  10 MR. KENISON-MARVIN: Same objections. 15 Could you sak the question again, please?  11 That's a compound question, and I'm only providing that for context. I'm going to reask the question more directly. Can a a submitted to the Commission have requirements as to the form in which the allegations are submitted to the Commission?  10 A I'm unclear as to the question. 10 verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, the number 5 starts on page 2, and then (a) is on page 2, and towards the end of (a) which is now on page 3 at the very top. 17 Thank you. So just so I'm clear, for an allegation of discrimination to be docketed, is it you'r testimony that it would need to be in a writing, signed by the complainant, and	that language?  15 A Yes.  16 A Yes.  17 Q And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some 22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified 23 in writing." Do you see that language?  1 In writing." Do you see that language?  2 A Yes.  3 Q Is there a form a complaint needs to be submitted in for it to be docketed?  4 Submitted to the Commission?  17 Q Let me ask the question more directly. Can a complaint be documented if it's oral?  9 MR. KENISON-MARVIN: Same objections.  10 A I'm unclear as to the question.  11 Q I'm afraid I don't really know how to ask it more directly. Are there criteria — let me ask it docketed?  16 A Tev you utimately asking about people communicating with us or a docketed charge?  17 Q Why don't you read the question back just so we're all rowing in the same direction.  18 (Requested portion read back by court reporter)  20 Q So that question is I'm referring to predocketed allegations, and all I'm trying to get at is is there a requirement for them to be in writing, can they be oral, that's what I'm getting at.  21 That's a compound question, and I'm only providing that for context. I'm going to reask the question again.  22 For an allegation of discrimination to be docketed, does the Commission?  23 a to the form in which the allegations are submitted to the Commission?  24 To answer your question, in reading 5(a), it clearly states that it must be verified and verification is a notary seal.  25 A I'm unclear as to the question.  26 To answer your question, in reading 5(a), it the number 5 starts on page 2, and then (a) is on page 3 at the very top.  26 A I'm unclear as to the question again, please?  27 To answer your question, in reading 5(a), it the number 5 starts on page 2, and then (a) is on page 2, and towards the end of (a) which is now on page 3 at the very top.  27 A Could you read it back, please?	that language?  14						•
that language?  15 A Yes.  17 Q And then the second sentence, the next page or additional sentence on the next page says, "If 19 this is the determination, the allegation of discrimination is verified," there's some 20 discrimination is verified, "there's some 21 bracketed language, then "submitted to the 22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified 22 in writing." Do you see that language? 23 A Yes. 24 Yes. 25 Q Is there a form a complaint needs to be submitted in for it to be docketed? 26 MR. KENISON-MARVIN: Objection. Vague. 27 G Let me ask the question more directly. Can a complaint be documented if it's oral? 28 MR. KENISON-MARVIN: Same objections. 29 MR. KENISON-MARVIN: Same objections. 20 Cold you ask the question again, please? 21 Drank you. So just so I'm clear, for an allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complaint, and	that language?  15 A Yes.  16 A Yes.  17 Q And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some 20 discrimination is verified, "there's some 21 bracketed language, then "submitted to the 22 Commission, and becomes a docketed charge of 23 discrimination whereby both parties are notified 23 discrimination whereby both parties are notified 24 representation in writing." Do you see that language?  1	that language?  15 A Yes.  17 Q And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some bracketed language, then "submitted to the Commission, and becomes a docketed charge of discrimination whereby both parties are notified  26 In writing." Do you see that language? 28 A Yes.  3 Q Is there a form a complaint needs to be submitted in for it to be docketed? 4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it this way. Are there criteria let me ask to complaint must be submitted for it to be docketed? 5 MR. KENISON-MARVIN: Same objections. 17 A Could you sak the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 17 Q Why don't you read the question back just's so we're all rowing in the same direction. 18 we're all rowing in the same direction. 19 (Requested portion read back by court reporter) 20 So that question is I'm referring to predocketed allegations, and all I'm trying to get at is is there a requirement for them to be in writing, can they be oral, that's what I'm getting at.  28 That's a compound question, and I'm only providing that for context. I'm going to reask the question again.  For an allegation of discrimination to be docketed, does the Commission?  8 A To answer your question, in reading 5(a), it clearly states that it must be verified and verification is a notary seal.  10 Q I'm afraid I don't really know how to ask it the form in which the allegations are submitted to the Commission?  10 A I'm unclear as to the question again. Place of the form in which the allegation are submitted for it to be docketed?  10 Q Ney. Can you refer that pag				14		- 1
16 A Yes. 17 Q And then the second sentence, the next page or additional sentence on the next page says. "If this is the determination, the allegation of discrimination is verified," there's some 20 discrimination is verified," there's some 21 bracketed language, then "submitted to the 22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified 23 can they be oral, that's what I'm getting at.  26 in writing." Do you see that language? 26 in writing." Do you see that language? 27 A Yes. 28 Is there a form a complaint needs to be 30 submitted in for it to be docketed? 40 submitted in for it to be docketed? 41 submitted in for it to be docketed? 42 submitted in for it to be docketed? 43 sate the question more directly. Can a complaint be documented if it's oral? 44 I'm unclear as to the question. 45 I'm unclear as to the question. 46 I'm unclear as to the question. 47 I'm unclear as to the question. 48 I'm unclear as to the question. 49 I'm afraid I don't really know how to ask it 40 complaint must be submitted for it to be docketed? 41 I'm says. Are there criteria for how a 41 complaint must be submitted for it to be docketed? 41 I'm unclear as to the question again. 41 Could you ask the question again, please? 41 It is — so if you're looking at the document, 41 it this way. Are there criteria for how a 41 could you ask the question again, please? 42 Could you read it back, please? 43 It is — so if you're looking at the document, 44 it you'd need to be in a 46 writing, signed by the complainant, and	16 A Yes. 17 Q And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some 20 discrimination is verified, "there's some 21 bracketed language, then "submitted to the 22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified 23 discrimination whereby both parties are notified 24 allegations, and all I'm trying to get at is is there a requirement for them to be in writing, can they be oral, that's what I'm getting at.  28 That's a compound question, and I'm only providing that for context. I'm going to reask the question more directly. Can a complaint be documented if it's oral?  3 MR. KENISON-MARVIN: Same objections. It is way. Are there criteria for how a complaint must be submitted for it to be docketed?  4 I'm unclear as to the question who to ask it it this way. Are there criteria for how a docketed?  5 MR. KENISON-MARVIN: Same objections. The Could you read it back, please?  10 MR. KENISON-MARVIN: Same objections. The Could you read it back, please?  11 Q Could you ask the question sequence of the reporter) and the complainant, and witnessed by a notary and submitted to the Commission; is that correct?	16 A Yes. 17 Q And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some 20 discrimination is verified, "there's some 21 bracketed language, then "submitted to the 22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified 23 discrimination whereby both parties are notified 24 A Yes. 26 In writing." Do you see that language? 25 A Yes. 27 Q Is there a form a complaint needs to be 4 submitted in for it to be docketed? 4 submitted in for it to be docketed. 4 submitted to the Commission have requirements as to the form in which the allegations are submitted to the Commission? 5 as to the form in which the allegations are submitted to the Commission? 5 as to the form in which the allegations are submitted to the Commission? 5 as to the form in which the allegations are submitted to the Commission? 5 as to the form in which the allegations are submitted to the Commission? 5 as to the form in which the allegations are submitted to the Commission? 5 as to the form in which the allegations are submitted to the Commission? 5 as to the form in which the allegations are submitted to the Commission? 5 as to the form in which the allegation of discrimination	1:	5	•			Are you ultimately asking about people
17 Q And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some 20 Q So that question is I'm referring to predocketed allegations, and becomes a docketed charge of discrimination whereby both parties are notified 23 discrimination whereby both parties are notified 24 there a requirement for them to be in writing, can they be oral, that's what I'm getting at.  28	17 Q And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some 21 bracketed language, then "submitted to the 22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified 23 discrimination whereby both parties are notified 24 in writing." Do you see that language? 25 in writing." Do you see that language? 26 in writing." Do you see that language? 27 in writing. "Do you see that language? 28 In a submitted in for it to be docketed? 29 docketed in for it to be docketed? 30 MR. KENISON-MARVIN: Objection. Vague. 31 MR. KENISON-MARVIN: Same objections. 32 MR. KENISON-MARVIN: Same objections. 33 MR. KENISON-MARVIN: Same objections. 34 MR. KENISON-MARVIN: Same objections. 35 MR. KENISON-MARVIN: Same objections. 36 MR. KENISON-MARVIN: Same objections. 37 MR. KENISON-MARVIN: Same objections. 38 MR. KENISON-MARVIN: Same objections. 39 MR. KENISON-MARVIN: Same objections. 30 MR. KENISON-MARVIN: Same objections. 31 MR. KENISON-MARVIN: Same objections. 31 MR. KENISON-MARVIN: Same objections. 32 MR. KENISON-MARVIN: Same objections. 34 MR. KENISON-MARVIN: Same objections. 35 MR. KENISON-MARVIN: Same objections. 36 MR. KENISON-MARVIN: Same objections. 36 MR. KENISON-MARVIN: Same objections. 37 MR. KENISON-MARVIN: Same objections. 39 MR. KENISON-MARVIN: Same objections. 30 MR. KENISON-MARVIN: Same objections. 30 MR. KENISON-MARVIN: Same objections. 31 MR. KENISON	17 Q And then the second sentence, the next page or additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some 20 discrimination is verified, "there's some 21 bracketed language, then "submitted to the 22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified 22 commission, and becomes a docketed charge of discrimination whereby both parties are notified 23 discrimination whereby both parties are notified 24 in writing." Do you see that language? 26 in writing." Do you see that language? 27 a Yes. 28 In there a form a complaint needs to be 4 submitted in for it to be docketed? 4 For an allegation of discrimination to be docketed, does the Commission have requirements as to the form in which the allegations are submitted to the Commission? 29 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria — let me ask it this way. Are there criteria for how a 14 complaint must be submitted for it to be docketed? 15 more of irectly. Are there criteria for how a 14 complaint must be submitted for it to be docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That is correct. 20 Why is it confusing? 22 A That is correct.				16		· · · · · · · · · · · · · · · · · · ·
additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some bracketed language, then "submitted to the commission, and becomes a docketed charge of discrimination whereby both parties are notified  20	additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some bracketed language, then "submitted to the commission, and becomes a docketed charge of discrimination whereby both parties are notified  commission, and becomes a docketed charge of discrimination whereby both parties are notified  commission, and becomes a docketed charge of discrimination whereby both parties are notified  complaint in writing." Do you see that language?  in writing." Do you see that language?  A Yes.  Commission, and becomes a docketed charge of discrimination whereby both parties are notified  26  in writing." Do you see that language?  A Yes.  Commission, and all I'm trying to get at is is there a requirement for them to be in writing, can they be oral, that's what I'm getting at.  28  That's a compound question, and I'm only providing that for context. I'm going to reask the question again.  For an allegation of discrimination to be docketed, does the Commission?  A To answer your question, in reading 5(a), it clearly states that it must be verified and verification is a notary seal.  A To answer your question, in reading 5(a), it clearly states that it must be verified and verification is a notary seal.  Complaint must be submitted for it to be docketed?  A It iss oi fyou're looking at the document, the number 5 starts on page 2, and then (a) is on page 2, and towards the end of (a) which is now on page 3 at the very top.  A Could you ask the question again, please?  Requested portion read back by court reporter)  RR. KENISON-MARVIN: Same objections.  Requested portion read back by court reporter)  RR. KENISON-MARVIN: Same objections.  RR. KENISON-MARVIN	additional sentence on the next page says, "If this is the determination, the allegation of discrimination is verified," there's some bracketed language, then "submitted to the commission, and becomes a docketed charge of discrimination whereby both parties are notified  20	17	7 Q	And then the second sentence, the next page or		Q	
discrimination is verified," there's some bracketed language, then "submitted to the Commission, and becomes a docketed charge of discrimination whereby both parties are notified  26  1 in writing." Do you see that language? 27  28  1 in writing." Do you see that language? 28  29  20  20  21  21  22  23  23  24  25  26  27  28  28  28  29  20  20  21  21  22  23  23  24  25  26  28  28  28  29  29  20  20  20  21  21  22  23  24  25  26  27  28  28  28  29  29  29  20  20  20  21  21  22  23  24  25  26  28  28  29  29  29  29  29  29  29  29	discrimination is verified,* there's some bracketed language, then "submitted to the commission, and becomes a docketed charge of discrimination whereby both parties are notified  22	discrimination is verified," there's some  bracketed language, then "submitted to the  commission, and becomes a docketed charge of discrimination whereby both parties are notified  23 discrimination whereby both parties are notified  24	18	3		18		
bracketed language, then "submitted to the Commission, and becomes a docketed charge of discrimination whereby both parties are notified  26 1 in writing." Do you see that language? 2 A Yes. 3 Q Is there a form a complaint needs to be submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it more directly. Are there criteria for how a complaint must be submitted for it to be docketed? 1 That's a compound question, and I'm only providing that for context. I'm going to reask the question again. 4 For an allegation of discrimination to be docketed, does the Commission have requirements as to the form in which the allegations are submitted to the Commission? 8 A To answer your question, in reading 5(a), it clearly states that it must be verified and verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is on page 2, and towards the end of (a) which is now on page 3 at the very top. 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 19 writing, signed by the complainant, and	21 bracketed language, then "submitted to the 22 Commission, and becomes a docketed charge of 23 discrimination whereby both parties are notified  24	bracketed language, then "submitted to the Commission, and becomes a docketed charge of discrimination whereby both parties are notified  26 1 in writing." Do you see that language? 2 A Yes. 3 Q Is there a form a complaint needs to be submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it it this way. Are there criteria ror how a it this way. Are there criteria for how a complaint must be submitted for it to be docketed? 10 MR. KENISON-MARVIN: Same objections. 11 Q Colud you ask the question again, please? 12 A Could you read it back, please? 13 (Requested portion read back by court reporter) MR. KENISON-MARVIN: Same objections. 14 Could you feed it back, please? 15 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing. 22 A I allegations, and all I'm trying to get at is is there a requirement for them to be in writing, can they be oral, that's what I'm getting at. 25 there a requirement for them to be in writing, can they be oral, that's what I'm getting at. 28  1 That's a compound question, and I'm only providing that for context. I'm going to reask the question again. 4 For an allegation of discrimination to be docketed, docketed, does the Commission? 8 A To answer your question, in reading 5(a), it clearly states that it must be verified and verification is a notary seal. 10 Q Okay. Can you refer that page to me? 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, the number 5 starts on page 2, and then (a) is on page 2, and towards the end of (a) which is now on page 3 at the very top. 16 Q Thank you. So just so I'm clear, for an allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, si	19	9	this is the determination, the allegation of	19		(Requested portion read back by court reporter)
22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified 23 can they be oral, that's what I'm getting at.  24	Commission, and becomes a docketed charge of discrimination whereby both parties are notified  26  1 in writing." Do you see that language? 2 A Yes. 3 Q Is there a form a complaint needs to be submitted in for it to be docketed? 4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it it this way. Are there criteria for how a complaint must be submitted for it to be docketed? 12 MR. KENISON-MARVIN: Same objections. 13 A Could you ask the question again, please? 14 Gould you ask the question read back by court reporter) 15 MR. KENISON-MARVIN: Same objections. 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That's a compound question, and I'm only providing that for context. I'm going to reask the question again. 28  That's a compound question, and I'm only providing that for context. I'm going to reask the question again. 4 For an allegation of discrimination to be docketed, does the Commission? 8 A To answer your question, in reading 5(a), it clearly states that it must be verified and verification is a notary seal. 10 Verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, in number 5 starts on page 2, and then (a) is on page 2, and towards the end of (a) which is now on page 3 at the very top. 16 Q Thank you. So just so I'm clear, for an allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and witnessed by a notary and submitted to the Commission; is that correct?	22 Commission, and becomes a docketed charge of discrimination whereby both parties are notified  23 can they be oral, that's what I'm getting at.  24	20	)	discrimination is verified," there's some	20	Q	So that question is I'm referring to predocketed
23 discrimination whereby both parties are notified  24	discrimination whereby both parties are notified  23 can they be oral, that's what I'm getting at.  24	discrimination whereby both parties are notified  23 can they be oral, that's what I'm getting at.  24	2	1	bracketed language, then "submitted to the	21		allegations, and all I'm trying to get at is is
1 in writing." Do you see that language? 2 A Yes. 3 Q Is there a form a complaint needs to be 4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a 8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 the question again. 14 For an allegation of discrimination to be 15 docketed, does the Commission have requirements 16 as to the form in which the allegations are 17 submitted to the Commission? 18 A To answer your question, in reading 5(a), it 19 clearly states that it must be verified and 10 verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 19 writing, signed by the complainant, and	1 in writing." Do you see that language? 2 A Yes. 3 Q Is there a form a complaint needs to be 4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a 8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That's a compound question, and I'm only 2 providing that for context. I'm going to reask 3 the question again. 4 For an allegation of discrimination to be 4 docketed, does the Commission have requirements 5 as to the form in which the allegations are 7 submitted to the Commission have requirements 8 A To answer your question, in reading 5(a), it 9 clearly states that it must be verified and 10 verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is 14 on page 2, and towards the end of (a) which is 15 now on page 3 at the very top. 16 Q Thank you. So just so I'm clear, for an 17 allegation of discrimination to be docketed, is 18 it your testimony that it would need to be in a 19 writing, signed by the complainant, and 20 witnessed by a notary and submitted to the 21 Commission; is that correct?	1 in writing." Do you see that language? 2 A Yes. 3 Q Is there a form a complaint needs to be 4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a 8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That's a compound question, and I'm only 2 providing that for context. I'm going to reask 4 the question again. 4 For an allegation of discrimination to be 4 docketed, does the Commission have requirements 6 as to the form in which the allegations are 7 submitted to the Commission? 8 A To answer your question, in reading 5(a), it 2 clearly states that it must be verified and 3 verification is a notary seal. 10 Verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is 14 on page 2, and towards the end of (a) which is 15 now on page 3 at the very top. 16 Q Thank you. So just so I'm clear, for an 17 allegation of discrimination to be docketed, is 18 it your testimony that it would need to be in a 19 writing, signed by the complainant, and 20 witnessed by a notary and submitted to the 21 Commission; is that correct? 22 A That is correct.	22	2	Commission, and becomes a docketed charge of	22		there a requirement for them to be in writing,
1 In writing." Do you see that language? 2 A Yes. 3 Q Is there a form a complaint needs to be 4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a 8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 the question again. 14 For an allegation of discrimination to be docketed, does the Commission have requirements as to the form in which the allegations are 7 submitted to the Commission? 8 A To answer your question, in reading 5(a), it of clearly states that it must be verified and verification is a notary seal. 16 Verification is a notary seal. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 19 writing, signed by the complainant, and	1 in writing." Do you see that language? 2 A Yes. 3 Q Is there a form a complaint needs to be 4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a 8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That's a compound question, and I'm only 2 providing that for context. I'm going to reask 3 the question again. 4 For an allegation of discrimination to be 4 docketed, does the Commission? 8 A To answer your question, in reading 5(a), it 9 clearly states that it must be verified and 10 verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, it the number 5 starts on page 2, and then (a) is on page 2, and towards the end of (a) which is now on page 3 at the very top. 16 Q Thank you. So just so I'm clear, for an allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and witnessed by a notary and submitted to the Commission; is that correct?	1 in writing." Do you see that language? 2 A Yes. 3 Q Is there a form a complaint needs to be 4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a 8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing. 22 Q Why is it confusing?  1 That's a compound question, and I'm only 2 providing that for context. I'm going to reask 3 the question again. 4 For an allegation of discrimination to be 4 docketed, does the Commission have requirements as to the form in which the allegations are submitted to the Commission?  8 A To answer your question, in reading 5(a), it 9 clearly states that it must be verified and 10 verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is 14 non page 2, and towards the end of (a) which is 15 now on page 3 at the very top. 16 Q Thank you. So just so I'm clear, for an 17 allegation of discrimination to be docketed, is 18 it your testimony that it would need to be in a 19 writing, signed by the complainant, and 20 witnessed by a notary and submitted to the 21 Commission; is that correct? 22 A That is correct.	23	3	discrimination whereby both parties are notified	23		can they be oral, that's what I'm getting at.
1 In writing." Do you see that language? 2 A Yes. 3 Q Is there a form a complaint needs to be 4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a 8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 the question again. 14 For an allegation of discrimination to be docketed, does the Commission have requirements as to the form in which the allegations are 7 submitted to the Commission? 8 A To answer your question, in reading 5(a), it of clearly states that it must be verified and verification is a notary seal. 16 Verification is a notary seal. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 19 writing, signed by the complainant, and	1 in writing." Do you see that language? 2 A Yes. 3 Q Is there a form a complaint needs to be 4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a 8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That's a compound question, and I'm only 2 providing that for context. I'm going to reask 3 the question again. 4 For an allegation of discrimination to be 4 docketed, does the Commission? 8 A To answer your question, in reading 5(a), it 9 clearly states that it must be verified and 10 verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, it the number 5 starts on page 2, and then (a) is on page 2, and towards the end of (a) which is now on page 3 at the very top. 16 Q Thank you. So just so I'm clear, for an allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and witnessed by a notary and submitted to the Commission; is that correct?	1 in writing." Do you see that language? 2 A Yes. 3 Q Is there a form a complaint needs to be 4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a 8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing. 22 Q Why is it confusing?  1 That's a compound question, and I'm only 2 providing that for context. I'm going to reask 3 the question again. 4 For an allegation of discrimination to be 4 docketed, does the Commission have requirements as to the form in which the allegations are submitted to the Commission?  8 A To answer your question, in reading 5(a), it 9 clearly states that it must be verified and 10 verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is 14 non page 2, and towards the end of (a) which is 15 now on page 3 at the very top. 16 Q Thank you. So just so I'm clear, for an 17 allegation of discrimination to be docketed, is 18 it your testimony that it would need to be in a 19 writing, signed by the complainant, and 20 witnessed by a notary and submitted to the 21 Commission; is that correct? 22 A That is correct.	-		0.6			0.0
2 A Yes. 3 Q Is there a form a complaint needs to be 4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a 8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 2 providing that for context. I'm going to reask 4 For an allegation of discrimination to be 4 docketed, does the Commission have requirements 6 as to the form in which the allegations are 7 submitted to the Commission? 8 A To answer your question, in reading 5(a), it 9 clearly states that it must be verified and 10 verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is 14 on page 2, and towards the end of (a) which is 15 now on page 3 at the very top. 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 19 writing, signed by the complainant, and	2 A Yes. 3 Q Is there a form a complaint needs to be 4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a 8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing. 2 providing that for context. I'm going to reask the question again. 4 For an allegation of discrimination to be docketed, does the Commission have requirements as to the form in which the allegations are submitted to the Commission? 8 A To answer your question, in reading 5(a), it verification is a notary seal. 10 Verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is on page 2, and towards the end of (a) which is now on page 3 at the very top. 16 Q Thank you. So just so I'm clear, for an allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and witnessed by a notary and submitted to the Commission; is that correct?	2 A Yes. 3 Q Is there a form a complaint needs to be 4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a 8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing. 22 Q Why is it confusing? 2 providing that for context. I'm going to reask the question again. 4 For an allegation of discrimination to be docketed, does the Commission have requirements as to the form in which the allegations are submitted to the Commission?  8 A To answer your question, in reading 5(a), it clearly states that it must be verified and verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, the number 5 starts on page 2, and then (a) is on page 2, and towards the end of (a) which is now on page 3 at the very top. Thank you. So just so I'm clear, for an allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and witnessed by a notary and submitted to the Commission; is that correct?	1			1		
3 Q Is there a form a complaint needs to be 4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a 8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 the question again. 14 For an allegation of discrimination to be 15 docketed, does the Commission have requirements 16 as to the form in which the allegations are 17 submitted to the Commission? 18 A To answer your question, in reading 5(a), it 19 clearly states that it must be verified and 10 verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 19 writing, signed by the complainant, and	3 Q Is there a form a complaint needs to be 4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a 8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 the question again. 14 For an allegation of discrimination to be 15 docketed, does the Commission have requirements 16 as to the form in which the allegations are 17 submitted to the Commission? 18 A To answer your question, in reading 5(a), it 19 clearly states that it must be verified and 10 verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing. 23 the question again. 4 For an allegation of discrimination to be 24 docketed, does the Commission have requirements 26 docketed, does the Commission have requirements 27 submitted to the Commission? 28 A To answer your question, in reading 5(a), it 28 A To answer your question, in reading 5(a), it 29 clearly states that it must be verified and 29 verification is a notary seal. 20 Nay. Can you refer that page to me? 21 A It is so if you're looking at the document, 22 A It is so if you're looking at the document, 23 and the question again, please? 24 It is so if you're looking at the document, 29 Thank you. So just so I'm clear, for an 29 all egation of discrimination to be docketed, is 20 it your testimony that it would need to be in a 21 writing, signed by the complainant, and 22 witnessed by a notary and submitted to the	3 Q Is there a form a complaint needs to be 4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a 8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing. 22 Q Why is it confusing?  3 the question again. 4 For an allegation of discrimination to be docketed, does the Commission have requirements as to the form in which the allegations are submitted to the Commission?  8 A To answer your question, in reading 5(a), it of clearly states that it must be verified and verification is a notary seal.  10 Verification is a notary seal.  11 Q Okay. Can you refer that page to me?  12 A It is so if you're looking at the document, the number 5 starts on page 2, and then (a) is on page 2, and towards the end of (a) which is now on page 3 at the very top.  16 Q Thank you. So just so I'm clear, for an allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and witnessed by a notary and submitted to the Commission; is that correct?  27 Commission; is that correct?  28 A To answer your question, in reading 5(a), it of clearly states that it must be commission?  28 A To answer your question, in reading 5(a), it of clearly states that it must be verified and verification is a notary seal.  19 Clearly states that it must be verified and verification is a notary seal.  10 Plan fraid I don't really know how to ask it in unterpretation in which the al						· · · · · · · · · · · · · · · · · · ·
4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a 8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter)  4 For an allegation of discrimination to be 4 docketed, does the Commission have requirements 5 docketed, does the Commission have requirements 6 as to the form in which the allegations are 7 submitted to the Commission; 8 A To answer your question, in reading 5(a), it 9 clearly states that it must be verified and 10 verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is 14 on page 2, and towards the end of (a) which is 15 now on page 3 at the very top. 16 Thank you. So just so I'm clear, for an 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 19 writing, signed by the complainant, and	submitted in for it to be docketed?  MR. KENISON-MARVIN: Objection. Vague. Mischaracterizes prior testimony.  Q Let me ask the question more directly. Can a complaint be documented if it's oral? MR. KENISON-MARVIN: Same objections.  I'm unclear as to the question.  I'm afraid I don't really know how to ask it more directly. Are there criteria let me ask tit this way. Are there criteria for how a complaint must be submitted for it to be MR. KENISON-MARVIN: Same objections.	4 submitted in for it to be docketed? 5 MR. KENISON-MARVIN: Objection. Vague. 6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a 8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing. 22 Q Why is it confusing?  4 For an allegation of discrimination to be docketed, does the Commission have requirements as to the form in which the allegations are submitted to the Commission?  8 A To answer your question, in reading 5(a), it clearly states that it must be verified and verification is a notary seal. 10 Verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is on page 2, and towards the end of (a) which is now on page 3 at the very top. 16 Q Thank you. So just so I'm clear, for an 17 allegation of discrimination to be docketed, is 18 it your testimony that it would need to be in a 19 writing, signed by the complainant, and 20 witnessed by a notary and submitted to the 21 Commission; is that correct? 22 A That is correct.			Is there a form a complaint needs to be	3		
MR. KENISON-MARVIN: Objection. Vague. Mischaracterizes prior testimony.  Let me ask the question more directly. Can a complaint be documented if it's oral?  MR. KENISON-MARVIN: Same objections.  MR. KENISON-MARVIN: Same ob	MR. KENISON-MARVIN: Objection. Vague.  Mischaracterizes prior testimony.  Q Let me ask the question more directly. Can a complaint be documented if it's oral?  MR. KENISON-MARVIN: Same objections.  I'm unclear as to the question.  I'm afraid I don't really know how to ask it more directly. Are there criteria let me ask it this way. Are there criteria for how a complaint must be submitted for it to be docketed?  MR. KENISON-MARVIN: Same objections.	MR. KENISON-MARVIN: Objection. Vague. Mischaracterizes prior testimony.  Q Let me ask the question more directly. Can a complaint be documented if it's oral?  MR. KENISON-MARVIN: Same objections.  I'm unclear as to the question.  I'm afraid I don't really know how to ask it it this way. Are there criteria let me ask it complaint must be submitted for it to be docketed?  MR. KENISON-MARVIN: Same objections.	١.		-	4		·
6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a 8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter)  6 as to the form in which the allegations are 7 submitted to the Commission? 8 A To answer your question, in reading 5(a), it 9 clearly states that it must be verified and 10 verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is 14 on page 2, and towards the end of (a) which is 15 now on page 3 at the very top. 16 Q Thank you. So just so I'm clear, for an 17 allegation of discrimination to be docketed, is 18 it your testimony that it would need to be in a 19 writing, signed by the complainant, and	6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a 8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing.  6 as to the form in which the allegations are 3 submitted to the Commission?  8 A To answer your question, in reading 5(a), it 9 clearly states that it must be verified and 10 verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is 14 on page 2, and towards the end of (a) which is 15 now on page 3 at the very top. 16 Q Thank you. So just so I'm clear, for an 17 allegation of discrimination to be docketed, is 18 it your testimony that it would need to be in a 19 writing, signed by the complainant, and 20 witnessed by a notary and submitted to the 21 Commission; is that correct?	6 Mischaracterizes prior testimony. 7 Q Let me ask the question more directly. Can a 8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing. 22 Q Why is it confusing?  6 as to the form in which the allegations are 3 submitted to the Commission?  8 A To answer your question, in reading 5(a), it 4 clearly states that it must be verified and 5 verification is a notary seal. 10 Okay. Can you refer that page to me? 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is 14 on page 2, and towards the end of (a) which is 15 now on page 3 at the very top. 16 Q Thank you. So just so I'm clear, for an 17 allegation of discrimination to be docketed, is 18 it your testimony that it would need to be in a 19 writing, signed by the complainant, and 20 witnessed by a notary and submitted to the 21 Commission; is that correct? 22 A That is correct.	5		MR. KENISON-MARVIN: Objection. Vague.	5		-
8 complaint be documented if it's oral? 9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 19 writing, signed by the complainant, and	complaint be documented if it's oral?  MR. KENISON-MARVIN: Same objections.  If munclear as to the question.  If more directly. Are there criteria let me ask it this way. Are there criteria for how a complaint must be submitted for it to be docketed?  MR. KENISON-MARVIN: Same objections.	complaint be documented if it's oral?  MR. KENISON-MARVIN: Same objections.  If munclear as to the question.  If more directly. Are there criteria let me ask it this way. Are there criteria for how a complaint must be submitted for it to be docketed?  MR. KENISON-MARVIN: Same objections.  That question is confusing.  MR. KENISON-MARVIN: Same objections.  That question is confusing.	6	;		6		as to the form in which the allegations are
9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 19 clearly states that it must be verified and verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is 14 on page 2, and towards the end of (a) which is 15 now on page 3 at the very top. 16 Q Thank you. So just so I'm clear, for an 17 allegation of discrimination to be docketed, is 18 it your testimony that it would need to be in a 19 writing, signed by the complainant, and	9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing.  9 clearly states that it must be verified and verification is a notary seal.  10 Verification is a notary seal.  11 Q Okay. Can you refer that page to me?  12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is on page 2, and towards the end of (a) which is now on page 3 at the very top. 16 Q Thank you. So just so I'm clear, for an allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and witnessed by a notary and submitted to the Commission; is that correct?	9 MR. KENISON-MARVIN: Same objections. 10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing. 20 Why is it confusing? 20 Commission; is that correct? 21 A That is correct.	7	Q	Let me ask the question more directly. Can a	7		submitted to the Commission?
10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 10 verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is 14 on page 2, and towards the end of (a) which is 15 now on page 3 at the very top. 16 Q Thank you. So just so I'm clear, for an 17 allegation of discrimination to be docketed, is 18 it your testimony that it would need to be in a 19 writing, signed by the complainant, and	10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing.  10 verification is a notary seal. 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is 14 on page 2, and towards the end of (a) which is 15 now on page 3 at the very top. 16 Q Thank you. So just so I'm clear, for an 17 allegation of discrimination to be docketed, is 18 it your testimony that it would need to be in a 19 writing, signed by the complainant, and 20 witnessed by a notary and submitted to the 21 Commission; is that correct?	10 A I'm unclear as to the question. 11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing. 22 Q Why is it confusing? 20 Why is it confusing? 21 A That is correct. 21 A That is correct. 21 Commission; is that correct? 22 A That is correct.	8		complaint be documented if it's oral?	8	Α	To answer your question, in reading 5(a), it
11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is 14 on page 2, and towards the end of (a) which is 15 now on page 3 at the very top. 16 Q Thank you. So just so I'm clear, for an 17 allegation of discrimination to be docketed, is 18 it your testimony that it would need to be in a 19 writing, signed by the complainant, and	11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing.  11 Q Okay. Can you refer that page to me? 12 A It is so if you're looking at the document, 13 the number 5 starts on page 2, and then (a) is 14 on page 2, and towards the end of (a) which is 15 now on page 3 at the very top. 16 Q Thank you. So just so I'm clear, for an 17 allegation of discrimination to be docketed, is 18 it your testimony that it would need to be in a 19 writing, signed by the complainant, and 20 witnessed by a notary and submitted to the 21 Commission; is that correct?	11 Q I'm afraid I don't really know how to ask it 12 more directly. Are there criteria let me ask 13 it this way. Are there criteria for how a 14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing. 22 Q Why is it confusing? 20 Why is it confusing? 21 A That is correct. 21 A That is correct. 21 A That is correct.	9	١	MR. KENISON-MARVIN: Same objections.	9		clearly states that it must be verified and
more directly. Are there criteria let me ask it this way. Are there criteria for how a complaint must be submitted for it to be docketed?  MR. KENISON-MARVIN: Same objections.  Requested portion read back by court reporter)  12 A It is so if you're looking at the document, the number 5 starts on page 2, and then (a) is on page 2, and towards the end of (a) which is now on page 3 at the very top.  Thank you. So just so I'm clear, for an allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and	more directly. Are there criteria let me ask it this way. Are there criteria for how a complaint must be submitted for it to be docketed?  MR. KENISON-MARVIN: Same objections.  Could you ask the question again, please?  Requested portion read back by court reporter)  MR. KENISON-MARVIN: Same objections.  MR. KENISON-MARVIN: Same objections.  MR. KENISON-MARVIN: Same objections.  MR. KENISON-MARVIN: Same objections.  That question is confusing.	more directly. Are there criteria let me ask it this way. Are there criteria for how a complaint must be submitted for it to be docketed?  MR. KENISON-MARVIN: Same objections.  Could you read it back, please?  (Requested portion read back by court reporter)  MR. KENISON-MARVIN: Same objections.  MR. KENISON-MARVIN: Same objections.  MR. KENISON-MARVIN: Same objections.  MR. KENISON-MARVIN: Same objections.  That question is confusing.  MR. KENISON-MARVIN: Same objections.  That question is confusing?  MR. KENISON-MARVIN: Same objections.  That is correct.	10	) A	I'm unclear as to the question.	10		verification is a notary seal.
it this way. Are there criteria for how a complaint must be submitted for it to be docketed? 15 now on page 2, and towards the end of (a) which is now on page 3 at the very top.  MR. KENISON-MARVIN: Same objections. 16 Q Thank you. So just so I'm clear, for an allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and	it this way. Are there criteria for how a  complaint must be submitted for it to be docketed?  MR. KENISON-MARVIN: Same objections.  Could you ask the question again, please?  (Requested portion read back by court reporter)  MR. KENISON-MARVIN: Same objections.  MR. KENISON-MARVIN: Same objections.  MR. KENISON-MARVIN: Same objections.  MR. KENISON-MARVIN: Same objections.  To allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and witnessed by a notary and submitted to the  Commission; is that correct?	it this way. Are there criteria for how a  complaint must be submitted for it to be docketed?  MR. KENISON-MARVIN: Same objections.  Could you ask the question again, please?  Could you read it back, please?  (Requested portion read back by court reporter)  MR. KENISON-MARVIN: Same objections.  Requested portion read back by court reporter)  MR. KENISON-MARVIN: Same objections.  MR. KENISON-MARVIN: Same objections.  That question is confusing.  Why is it confusing?  It number 5 starts on page 2, and then (a) is on page 2, and then (a) is on page 2, and towards the end of (a) which is now on page 3 at the very top.  Thank you. So just so I'm clear, for an allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and witnessed by a notary and submitted to the Commission; is that correct?  Commission; is that correct?	1	1 Q	I'm afraid I don't really know how to ask it	11	Q	Okay. Can you refer that page to me?
complaint must be submitted for it to be docketed?  MR. KENISON-MARVIN: Same objections.  Could you ask the question again, please?  Could you read it back, please?  Requested portion read back by court reporter)  on page 2, and towards the end of (a) which is now on page 3 at the very top.  Thank you. So just so I'm clear, for an allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and	complaint must be submitted for it to be docketed?  MR. KENISON-MARVIN: Same objections. Could you ask the question again, please? Requested portion read back by court reporter) MR. KENISON-MARVIN: Same objections. Requested portion read back by court reporter) MR. KENISON-MARVIN: Same objections. That question is confusing.  14 on page 2, and towards the end of (a) which is now on page 3 at the very top. Thank you. So just so I'm clear, for an allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and witnessed by a notary and submitted to the Commission; is that correct?	14 complaint must be submitted for it to be 15 docketed? 16 MR. KENISON-MARVIN: Same objections. 17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing. 22 Q Why is it confusing? 24 on page 2, and towards the end of (a) which is 25 now on page 3 at the very top. 26 Thank you. So just so I'm clear, for an 27 allegation of discrimination to be docketed, is 28 it your testimony that it would need to be in a 29 writing, signed by the complainant, and 20 witnessed by a notary and submitted to the 21 Commission; is that correct? 22 A That is correct.	12	2	more directly. Are there criteria let me ask	12	Α	It is so if you're looking at the document,
docketed?  MR. KENISON-MARVIN: Same objections.  MR. KENISON-MARVIN: Same objections.  Thank you. So just so I'm clear, for an allegation of discrimination to be docketed, is it your testimony that it would need to be in a (Requested portion read back by court reporter)  mow on page 3 at the very top.  Thank you. So just so I'm clear, for an allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and	docketed?  MR. KENISON-MARVIN: Same objections.  Could you ask the question again, please?  Could you read it back, please?  (Requested portion read back by court reporter)  MR. KENISON-MARVIN: Same objections.  MR. KENISON-MARVIN: Same objections.  To now on page 3 at the very top.  Thank you. So just so I'm clear, for an allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and witnessed by a notary and submitted to the Commission; is that correct?	docketed?  MR. KENISON-MARVIN: Same objections.  Could you ask the question again, please?  Could you read it back, please?  Requested portion read back by court reporter)  MR. KENISON-MARVIN: Same objections.  MR. KENISON-MARVIN: Same objections.  MR. KENISON-MARVIN: Same objections.  That question is confusing.  Why is it confusing?  Is now on page 3 at the very top.  Thank you. So just so I'm clear, for an allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and witnessed by a notary and submitted to the Commission; is that correct?  Commission; is that correct?	1:	3	it this way. Are there criteria for how a	13		the number 5 starts on page 2, and then (a) is
MR. KENISON-MARVIN: Same objections.  16 Q Thank you. So just so I'm clear, for an  17 A Could you ask the question again, please?  18 Q Could you read it back, please?  19 (Requested portion read back by court reporter)  10 Under the process of	MR. KENISON-MARVIN: Same objections.  A Could you ask the question again, please?  Could you read it back, please?  (Requested portion read back by court reporter)  MR. KENISON-MARVIN: Same objections.  MR. KENISON-MARVIN: Same objections.  That question is confusing.  MR. KENISON-MARVIN: Same objections.  Commission; is that correct?	MR. KENISON-MARVIN: Same objections.  MR. KENISON-MARVIN: Same objections.  Thank you. So just so I'm clear, for an allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and MR. KENISON-MARVIN: Same objections.		4	complaint must be submitted for it to be	14		on page 2, and towards the end of (a) which is
17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 19 writing, signed by the complainant, and	17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing.  17 allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and witnessed by a notary and submitted to the Commission; is that correct?	17 A Could you ask the question again, please? 18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing. 22 Q Why is it confusing? 21 A That is correct. 22 A That is correct.	14		1 1 4 10	15		now on page 3 at the very top.
18 Q Could you read it back, please?  18 it your testimony that it would need to be in a 19 (Requested portion read back by court reporter) 19 writing, signed by the complainant, and	18 Q Could you read it back, please? 19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing.  18 it your testimony that it would need to be in a writing, signed by the complainant, and witnessed by a notary and submitted to the Commission; is that correct?	18 Q Could you read it back, please?  19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing. 22 Q Why is it confusing?  18 it your testimony that it would need to be in a 29 writing, signed by the complainant, and 20 witnessed by a notary and submitted to the 21 Commission; is that correct? 22 A That is correct.		5	docketed?			
19 (Requested portion read back by court reporter) 19 writing, signed by the complainant, and	19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing.  19 writing, signed by the complainant, and 20 witnessed by a notary and submitted to the 21 Commission; is that correct?	19 (Requested portion read back by court reporter) 20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing. 22 Q Why is it confusing?  19 writing, signed by the complainant, and 20 witnessed by a notary and submitted to the 21 Commission; is that correct? 22 A That is correct.	1:				Q	Thank you. So just so I'm clear, for an
	20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing. 20 witnessed by a notary and submitted to the Commission; is that correct?	20 MR. KENISON-MARVIN: Same objections. 21 A That question is confusing. 22 Q Why is it confusing? 20 witnessed by a notary and submitted to the 21 Commission; is that correct? 22 A That is correct.	1:	6	MR. KENISON-MARVIN: Same objections.	16		
1	21 A That question is confusing. 21 Commission; is that correct?	21 A That question is confusing. 22 Q Why is it confusing? 21 Commission; is that correct? 22 A That is correct.	15 16 17	6 7 A	MR. KENISON-MARVIN: Same objections. Could you ask the question again, please?	16 17		allegation of discrimination to be docketed, is
		22 Q Why is it confusing? 22 A That is correct.	15 16 15 18	6 7 A 8 Q	MR. KENISON-MARVIN: Same objections. Could you ask the question again, please? Could you read it back, please?	16 17 18		allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and
	22 0 Why is it confusing?		15 16 17 18	6 7 A 8 Q	MR. KENISON-MARVIN: Same objections. Could you ask the question again, please? Could you read it back, please? (Requested portion read back by court reporter) MR. KENISON-MARVIN: Same objections.	16 17 18 19		allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and witnessed by a notary and submitted to the
OO O Miles in it conficeings		23 A So I'm unclear if you're asking about, because 23 Q Okay. For an allegation of discrimination to be	15 16 15 18 20 21	6 A A A A A A A A A A A A A A A A A A A	MR. KENISON-MARVIN: Same objections. Could you ask the question again, please? Could you read it back, please? (Requested portion read back by court reporter) MR. KENISON-MARVIN: Same objections. That question is confusing.	16 17 18 19 20 21		allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and witnessed by a notary and submitted to the Commission; is that correct?
	23 A So I'm unclear if you're asking about, because 23 Q Okay. For an allegation of discrimination to be		15 16 17 18 19 20 21 21	6 A A A A A A A A A A A A A A A A A A A	MR. KENISON-MARVIN: Same objections. Could you ask the question again, please? Could you read it back, please? (Requested portion read back by court reporter) MR. KENISON-MARVIN: Same objections. That question is confusing. Why is it confusing?	16 17 18 19 20 21 22	A	allegation of discrimination to be docketed, is it your testimony that it would need to be in a writing, signed by the complainant, and witnessed by a notary and submitted to the Commission; is that correct?  That is correct.

				2732
	29			31
1	docketed, does the complainant have to use a	1	Α	Sean Locke.
2	form provided by the Human Rights Commission or	2	Q	The intake coordinator. Do you have one intake
3	can they use any other form of writing that is	3		coordinator or multiple intake coordinators?
4	verified and signed by the Complainant and	4	Α	Usually there is one, but if they're not in, it
5	witnessed by a notary?	5		could be someone else.
6 A	The complainant would need to use a form by the	6	Q	Who would that other person would be if that
7	Commission.	7		intake coordinator is not in?
8 Q	Okay. Did anyone assist you in writing the	8	Α	It varies. It could be the Assistant Director.
9	letter marked as Exhibit 53?	9		Could be an investigator.
10 A	There's always legal review.	10	Q	Who is the Assistant Director currently?
11 G	Fair. Do you recall there being legal review	11	Α	Sarah Burke Cohen.
12	with respect to Exhibit 53?	12	Q	And you just mentioned the investigator moments
13 A	As I sit here today, I'm unsure.	13		ago. Does the Commission have one investigator,
14 G	Okay. I know you haven't been deposed before.	14		multiple investigators?
15	I want to say that depositions are not a memory	15	Α	Multiple.
16	test. So if you can't remember, it's fine and	16	Q	How many?
17	understandable especially if we're talking about	17	Α	Five.
18	events years ago. So I understand.	18	Q	How does an intake coordinator decide when to
19	With respect to the language on page 2 and	19		consult with the Assistant Director about
20	beginning on page 3, Bates stamped 10270, "an	20		whether to docket an allegation of
21	assessment is made to ensure that the	21		discrimination?
22	complainant has a prima facie case, i.e., "at	22		MR. KENISON-MARVIN: Objection.
23	first sight" the claim meets the legal standard	23		Foundation. Vague. Asks for speculation. You
	first sight" the claim meets the legal standard	23		Foundation. Vague. Asks for speculation. You  32
		23 1		
23	30		Q	32
1	to file a charge with the Commission." Do you	1 2	Q A	32 can answer.
1 2	to file a charge with the Commission." Do you see that language?	1 2		32 can answer. You can answer it if you can.
1 2 3 A	to file a charge with the Commission." Do you see that language? Yes.	1 2 3		32 can answer. You can answer it if you can. The Assistant Director is the supervisor of the
1 2 3 A 4 Q	to file a charge with the Commission." Do you see that language? Yes. Who makes that decision within the Commission as to whether a prima facie case has been made?	1 2 3 4	Α	32 can answer. You can answer it if you can. The Assistant Director is the supervisor of the intake coordinator.
1 2 3 A 4 Q 5	to file a charge with the Commission." Do you see that language? Yes. Who makes that decision within the Commission as to whether a prima facie case has been made?	1 2 3 4 5	Α	can answer.  You can answer it if you can.  The Assistant Director is the supervisor of the intake coordinator.  Does the intake, what I'm just trying to get at
1 2 3 A 4 Q 5 6 A	to file a charge with the Commission." Do you see that language? Yes. Who makes that decision within the Commission as to whether a prima facie case has been made? Staff and/or legal assistance.	1 2 3 4 5 6	Α	can answer. You can answer it if you can. The Assistant Director is the supervisor of the intake coordinator. Does the intake, what I'm just trying to get at is how these decisions are made. That's it. So
1 2 3 A 4 Q 5 6 A 7 Q	to file a charge with the Commission." Do you see that language? Yes. Who makes that decision within the Commission as to whether a prima facie case has been made? Staff and/or legal assistance. Who would be just the names of the staff and/or	1 2 3 4 5 6 7	Α	can answer. You can answer it if you can. The Assistant Director is the supervisor of the intake coordinator. Does the intake, what I'm just trying to get at is how these decisions are made. That's it. So I guess what I'm trying to figure out is are
1 2 3 A 4 Q 5 6 A 7 Q 8	to file a charge with the Commission." Do you see that language? Yes. Who makes that decision within the Commission as to whether a prima facie case has been made? Staff and/or legal assistance. Who would be just the names of the staff and/or legal assistants that would be involved in that decision?	1 2 3 4 5 6 7 8	Α	can answer. You can answer it if you can. The Assistant Director is the supervisor of the intake coordinator. Does the intake, what I'm just trying to get at is how these decisions are made. That's it. So I guess what I'm trying to figure out is are there standards that exist with respect to when
1 2 3 A 4 Q 5 6 A 7 Q 8 9	to file a charge with the Commission." Do you see that language? Yes. Who makes that decision within the Commission as to whether a prima facie case has been made? Staff and/or legal assistance. Who would be just the names of the staff and/or legal assistants that would be involved in that decision? The actual name or the position name?	1 2 3 4 5 6 7 8 9	Α	can answer. You can answer it if you can. The Assistant Director is the supervisor of the intake coordinator. Does the intake, what I'm just trying to get at is how these decisions are made. That's it. So I guess what I'm trying to figure out is are there standards that exist with respect to when the intake coordinator consults with the
23 1 2 3 A 4 Q 5 6 A 7 Q 8 9 10 A	to file a charge with the Commission." Do you see that language? Yes. Who makes that decision within the Commission as to whether a prima facie case has been made? Staff and/or legal assistance. Who would be just the names of the staff and/or legal assistants that would be involved in that decision? The actual name or the position name?	1 2 3 4 5 6 7 8 9	Α	can answer.  You can answer it if you can.  The Assistant Director is the supervisor of the intake coordinator.  Does the intake, what I'm just trying to get at is how these decisions are made. That's it. So I guess what I'm trying to figure out is are there standards that exist with respect to when the intake coordinator consults with the Assistant Director making this decision? Are
1 2 3 A 4 Q 5 6 A 7 Q 8 9 10 A 11 C	to file a charge with the Commission." Do you see that language? Yes. Who makes that decision within the Commission as to whether a prima facie case has been made? Staff and/or legal assistance. Who would be just the names of the staff and/or legal assistants that would be involved in that decision? The actual name or the position name? You know, actually, let's do positions. That's	1 2 3 4 5 6 7 8 9 10 11	Α	can answer. You can answer it if you can. The Assistant Director is the supervisor of the intake coordinator. Does the intake, what I'm just trying to get at is how these decisions are made. That's it. So I guess what I'm trying to figure out is are there standards that exist with respect to when the intake coordinator consults with the Assistant Director making this decision? Are there policies in place concerning when that
23 1 2 3 A 4 Q 5 6 A 7 Q 8 9 10 A 11 C 12	to file a charge with the Commission." Do you see that language? Yes. Who makes that decision within the Commission as to whether a prima facie case has been made? Staff and/or legal assistance. Who would be just the names of the staff and/or legal assistants that would be involved in that decision? The actual name or the position name? You know, actually, let's do positions. That's probably easier. Thank you for the	1 2 3 4 5 6 7 8 9 10 11 12	Α	can answer.  You can answer it if you can.  The Assistant Director is the supervisor of the intake coordinator.  Does the intake, what I'm just trying to get at is how these decisions are made. That's it. So I guess what I'm trying to figure out is are there standards that exist with respect to when the intake coordinator consults with the Assistant Director making this decision? Are there policies in place concerning when that consultation occurs?
1 2 3 A 4 Q 5 6 A 7 Q 8 9 10 A 11 C 12 13	to file a charge with the Commission." Do you see that language? Yes. Who makes that decision within the Commission as to whether a prima facie case has been made? Staff and/or legal assistance. Who would be just the names of the staff and/or legal assistants that would be involved in that decision? The actual name or the position name? You know, actually, let's do positions. That's probably easier. Thank you for the clarification.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	A Q	can answer. You can answer it if you can. The Assistant Director is the supervisor of the intake coordinator. Does the intake, what I'm just trying to get at is how these decisions are made. That's it. So I guess what I'm trying to figure out is are there standards that exist with respect to when the intake coordinator consults with the Assistant Director making this decision? Are there policies in place concerning when that consultation occurs?  MR. KENISON-MARVIN: Objection. Compound.
1 2 3 A 4 Q 5 6 A 7 Q 8 9 10 A 11 C 12 13 14 A	to file a charge with the Commission." Do you see that language? Yes. Who makes that decision within the Commission as to whether a prima facie case has been made? Staff and/or legal assistance. Who would be just the names of the staff and/or legal assistants that would be involved in that decision? The actual name or the position name? You know, actually, let's do positions. That's probably easier. Thank you for the clarification. So the intake coordinator is the first step with the Commission, and that would be in consultation with the Assistant Director. And	1 2 3 4 5 6 7 8 9 10 11 12 13 14	A Q	can answer.  You can answer it if you can.  The Assistant Director is the supervisor of the intake coordinator.  Does the intake, what I'm just trying to get at is how these decisions are made. That's it. So I guess what I'm trying to figure out is are there standards that exist with respect to when the intake coordinator consults with the Assistant Director making this decision? Are there policies in place concerning when that consultation occurs?  MR. KENISON-MARVIN: Objection. Compound. You can answer.
1 2 3 A 4 Q 5 6 A 7 Q 8 9 10 A 11 C 12 13 14 A 15	to file a charge with the Commission." Do you see that language? Yes. Who makes that decision within the Commission as to whether a prima facie case has been made? Staff and/or legal assistance. Who would be just the names of the staff and/or legal assistants that would be involved in that decision? The actual name or the position name? You know, actually, let's do positions. That's probably easier. Thank you for the clarification. So the intake coordinator is the first step with the Commission, and that would be in consultation with the Assistant Director. And if there was additional consultation needed,	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	A Q	can answer. You can answer it if you can. The Assistant Director is the supervisor of the intake coordinator. Does the intake, what I'm just trying to get at is how these decisions are made. That's it. So I guess what I'm trying to figure out is are there standards that exist with respect to when the intake coordinator consults with the Assistant Director making this decision? Are there policies in place concerning when that consultation occurs?  MR. KENISON-MARVIN: Objection. Compound. You can answer. Broadly speaking. There are for all of the
23  1 2 3 A 4 Q 5 6 A 7 Q 8 9 10 A 11 C 12 13 14 A 15 16 17 18	to file a charge with the Commission." Do you see that language? Yes. Who makes that decision within the Commission as to whether a prima facie case has been made? Staff and/or legal assistance. Who would be just the names of the staff and/or legal assistants that would be involved in that decision? The actual name or the position name? You know, actually, let's do positions. That's probably easier. Thank you for the clarification. So the intake coordinator is the first step with the Commission, and that would be in consultation with the Assistant Director. And	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A Q	can answer. You can answer it if you can. The Assistant Director is the supervisor of the intake coordinator. Does the intake, what I'm just trying to get at is how these decisions are made. That's it. So I guess what I'm trying to figure out is are there standards that exist with respect to when the intake coordinator consults with the Assistant Director making this decision? Are there policies in place concerning when that consultation occurs?  MR. KENISON-MARVIN: Objection. Compound. You can answer. Broadly speaking. There are for all of the areas of jurisdiction that the Commission has there are legal standards. Um-hum.
23  1 2 3 A 4 Q 5 6 A 7 Q 8 9 10 A 11 C 12 13 14 A 15 16 17 18 19	to file a charge with the Commission." Do you see that language? Yes. Who makes that decision within the Commission as to whether a prima facie case has been made? Staff and/or legal assistance. Who would be just the names of the staff and/or legal assistants that would be involved in that decision? The actual name or the position name? You know, actually, let's do positions. That's probably easier. Thank you for the clarification. So the intake coordinator is the first step with the Commission, and that would be in consultation with the Assistant Director. And if there was additional consultation needed, then we would speak with our client services representative in the Department of Justice.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A Q A Q	can answer. You can answer it if you can. The Assistant Director is the supervisor of the intake coordinator. Does the intake, what I'm just trying to get at is how these decisions are made. That's it. So I guess what I'm trying to figure out is are there standards that exist with respect to when the intake coordinator consults with the Assistant Director making this decision? Are there policies in place concerning when that consultation occurs?  MR. KENISON-MARVIN: Objection. Compound. You can answer. Broadly speaking. There are for all of the areas of jurisdiction that the Commission has there are legal standards. Um-hum. So the prima facie is based on the legal
1 2 3 A 4 Q 5 6 A 7 Q 8 9 10 A 11 C 12 13 14 A 15 16 17 18 19 20	to file a charge with the Commission." Do you see that language? Yes. Who makes that decision within the Commission as to whether a prima facie case has been made? Staff and/or legal assistance. Who would be just the names of the staff and/or legal assistants that would be involved in that decision? The actual name or the position name? You know, actually, let's do positions. That's probably easier. Thank you for the clarification. So the intake coordinator is the first step with the Commission, and that would be in consultation with the Assistant Director. And if there was additional consultation needed, then we would speak with our client services representative in the Department of Justice. Civil Bureau, Department of Justice.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A	can answer. You can answer it if you can. The Assistant Director is the supervisor of the intake coordinator. Does the intake, what I'm just trying to get at is how these decisions are made. That's it. So I guess what I'm trying to figure out is are there standards that exist with respect to when the intake coordinator consults with the Assistant Director making this decision? Are there policies in place concerning when that consultation occurs?  MR. KENISON-MARVIN: Objection. Compound. You can answer. Broadly speaking. There are for all of the areas of jurisdiction that the Commission has there are legal standards. Um-hum. So the prima facie is based on the legal standard.
1 2 3 A 4 Q 5 6 A 7 Q 8 9 10 A 11 C 12 13 14 A 15 16 17 18 19 20 21 C	to file a charge with the Commission." Do you see that language? Yes. Who makes that decision within the Commission as to whether a prima facie case has been made? Staff and/or legal assistance. Who would be just the names of the staff and/or legal assistants that would be involved in that decision? The actual name or the position name? You know, actually, let's do positions. That's probably easier. Thank you for the clarification. So the intake coordinator is the first step with the Commission, and that would be in consultation with the Assistant Director. And if there was additional consultation needed, then we would speak with our client services representative in the Department of Justice. Civil Bureau, Department of Justice. Okay. Is the client services representative at	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q A Q	can answer. You can answer it if you can. The Assistant Director is the supervisor of the intake coordinator. Does the intake, what I'm just trying to get at is how these decisions are made. That's it. So I guess what I'm trying to figure out is are there standards that exist with respect to when the intake coordinator consults with the Assistant Director making this decision? Are there policies in place concerning when that consultation occurs?  MR. KENISON-MARVIN: Objection. Compound. You can answer. Broadly speaking. There are for all of the areas of jurisdiction that the Commission has there are legal standards. Um-hum. So the prima facie is based on the legal standard. Do you know how frequently the intake
1 2 3 A 4 Q 5 6 A 7 Q 8 9 10 A 11 C 12 13 14 A 15 16 17 18 19 20	to file a charge with the Commission." Do you see that language? Yes. Who makes that decision within the Commission as to whether a prima facie case has been made? Staff and/or legal assistance. Who would be just the names of the staff and/or legal assistants that would be involved in that decision? The actual name or the position name? You know, actually, let's do positions. That's probably easier. Thank you for the clarification. So the intake coordinator is the first step with the Commission, and that would be in consultation with the Assistant Director. And if there was additional consultation needed, then we would speak with our client services representative in the Department of Justice. Civil Bureau, Department of Justice.	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A	can answer. You can answer it if you can. The Assistant Director is the supervisor of the intake coordinator. Does the intake, what I'm just trying to get at is how these decisions are made. That's it. So I guess what I'm trying to figure out is are there standards that exist with respect to when the intake coordinator consults with the Assistant Director making this decision? Are there policies in place concerning when that consultation occurs?  MR. KENISON-MARVIN: Objection. Compound. You can answer. Broadly speaking. There are for all of the areas of jurisdiction that the Commission has there are legal standards. Um-hum. So the prima facie is based on the legal standard.

		33	,		35
1		an allegation of discrimination that's been	1		consultation with the Assistant Director. Does
2		made?	2		the Assistant Director ever bring you in to the
3	A	I do not.	3		decision as to whether or not to docket an
4	Q	Are there periodic meetings that occur within	4		allegation of discrimination?
5		the intake coordinator and the Assistant	5	Α	Could you ask that again?
6		Director with respect to whether to docket	6	Q	Could you read that back, please?
7		allegations of discrimination?	7		(Requested portion read back by court reporter)
8	Α	I believe they meet weekly, but I'm unsure.		Α	To answer the first part of your question, the
9	Q	Okay. Are those meetings that you're present	9		intake coordinator is not always meeting with
10		for?	10		the Assistant Director to make a determination
11	Α	I am not.	11		of whether or not to docket a charge.
12	Q	Who is present at those meetings in which	12	Q	Is it fair to say that sometimes the intake
13		decisions are made as to whether or not to	13		coordinator is making that decision without
14		docket an allegation of discrimination?	14		consulting the Assistant Director, right?
15		MR. KENISON-MARVIN: Objection.	15	Α	It would be fair to say that the intake
16		Foundation. You can answer.	16		coordinator may not need the assistance of the
17	Α	I would want to clarify something.	17		Assistant Director to make that determination.
18	Q	Please do. Of course.	18	Q	Have you ever been consulted by members of your
19	Α	Those are weekly meetings that take place,	19		staff about a decision whether or not to docket
20		generally speaking.	20		an allegation of discrimination?
21	Q	Okay.	21	Α	I'm unsure how to answer that question.
22	Α	It's not always whether to docket or not to	22	Q	What about the question kind of gives you pause?
23		docket.	23	Α	It's very broad. Could you ask it again?
		2.4			26
1	0	Gotoba 34	1	_	36
1	Q ^	Gotcha.	1	Q	I'm happy to ask the court reporter to state the
2		Gotcha.  The initial step in docketing is the legal	2	Q	I'm happy to ask the court reporter to state the question again.
3	Α	Gotcha.  The initial step in docketing is the legal standard.	2		I'm happy to ask the court reporter to state the question again. (Requested portion read back by court reporter)
2 3 4		Gotcha. The initial step in docketing is the legal standard. I'm just trying to get at how that decision is	2 3 4	Q A	I'm happy to ask the court reporter to state the question again. (Requested portion read back by court reporter) So that's a very broad question. The best
2 3 4 5	Α	Gotcha.  The initial step in docketing is the legal standard.  I'm just trying to get at how that decision is made. That's all. So in these weekly meetings	2 3 4 5		I'm happy to ask the court reporter to state the question again.  (Requested portion read back by court reporter)  So that's a very broad question. The best answer that I could give you sitting here today
2 3 4 5 6	Α	Gotcha.  The initial step in docketing is the legal standard.  I'm just trying to get at how that decision is made. That's all. So in these weekly meetings is it fair to say that there are agenda items	2 3 4 5 6		I'm happy to ask the court reporter to state the question again.  (Requested portion read back by court reporter)  So that's a very broad question. The best answer that I could give you sitting here today would be if there were a question, we would
2 3 4 5 6 7	Α	Gotcha.  The initial step in docketing is the legal standard.  I'm just trying to get at how that decision is made. That's all. So in these weekly meetings is it fair to say that there are agenda items that exist independent of decisions whether to	2 3 4 5 6 7		I'm happy to ask the court reporter to state the question again. (Requested portion read back by court reporter) So that's a very broad question. The best answer that I could give you sitting here today would be if there were a question, we would speak with an attorney if there was an issue
2 3 4 5 6 7 8	A Q	Gotcha.  The initial step in docketing is the legal standard.  I'm just trying to get at how that decision is made. That's all. So in these weekly meetings is it fair to say that there are agenda items that exist independent of decisions whether to docket allegations of discrimination?	2 3 4 5 6 7 8	Α	I'm happy to ask the court reporter to state the question again. (Requested portion read back by court reporter) So that's a very broad question. The best answer that I could give you sitting here today would be if there were a question, we would speak with an attorney if there was an issue that could not be resolved.
2 3 4 5 6 7 8 9	A Q	Gotcha. The initial step in docketing is the legal standard. I'm just trying to get at how that decision is made. That's all. So in these weekly meetings is it fair to say that there are agenda items that exist independent of decisions whether to docket allegations of discrimination? I would be making an assumption because I don't	2 3 4 5 6 7 8 9	A	I'm happy to ask the court reporter to state the question again.  (Requested portion read back by court reporter)  So that's a very broad question. The best answer that I could give you sitting here today would be if there were a question, we would speak with an attorney if there was an issue that could not be resolved.  Has a member of your staff ever asked for your
2 3 4 5 6 7 8 9	A Q A	Gotcha. The initial step in docketing is the legal standard. I'm just trying to get at how that decision is made. That's all. So in these weekly meetings is it fair to say that there are agenda items that exist independent of decisions whether to docket allegations of discrimination? I would be making an assumption because I don't attend those meetings.	2 3 4 5 6 7 8 9	A	I'm happy to ask the court reporter to state the question again.  (Requested portion read back by court reporter)  So that's a very broad question. The best answer that I could give you sitting here today would be if there were a question, we would speak with an attorney if there was an issue that could not be resolved.  Has a member of your staff ever asked for your feedback as to whether or not the Commission
2 3 4 5 6 7 8 9 10	A Q	Gotcha. The initial step in docketing is the legal standard. I'm just trying to get at how that decision is made. That's all. So in these weekly meetings is it fair to say that there are agenda items that exist independent of decisions whether to docket allegations of discrimination? I would be making an assumption because I don't attend those meetings. Without guessing, what's your knowledge of	2 3 4 5 6 7 8 9 10	A Q	I'm happy to ask the court reporter to state the question again.  (Requested portion read back by court reporter) So that's a very broad question. The best answer that I could give you sitting here today would be if there were a question, we would speak with an attorney if there was an issue that could not be resolved.  Has a member of your staff ever asked for your feedback as to whether or not the Commission should docket an allegation of discrimination?
2 3 4 5 6 7 8 9 10 11 12	A Q A	Gotcha.  The initial step in docketing is the legal standard.  I'm just trying to get at how that decision is made. That's all. So in these weekly meetings is it fair to say that there are agenda items that exist independent of decisions whether to docket allegations of discrimination?  I would be making an assumption because I don't attend those meetings.  Without guessing, what's your knowledge of what's discussed during those weekly meetings,	2 3 4 5 6 7 8 9 10 11 12	A Q	I'm happy to ask the court reporter to state the question again.  (Requested portion read back by court reporter)  So that's a very broad question. The best answer that I could give you sitting here today would be if there were a question, we would speak with an attorney if there was an issue that could not be resolved.  Has a member of your staff ever asked for your feedback as to whether or not the Commission should docket an allegation of discrimination?  Maybe.
2 3 4 5 6 7 8 9 10 11 12 13	A Q A Q	Gotcha.  The initial step in docketing is the legal standard.  I'm just trying to get at how that decision is made. That's all. So in these weekly meetings is it fair to say that there are agenda items that exist independent of decisions whether to docket allegations of discrimination?  I would be making an assumption because I don't attend those meetings.  Without guessing, what's your knowledge of what's discussed during those weekly meetings, the generally topics of discussion?	2 3 4 5 6 7 8 9 10 11 12 13	A Q A Q	I'm happy to ask the court reporter to state the question again.  (Requested portion read back by court reporter) So that's a very broad question. The best answer that I could give you sitting here today would be if there were a question, we would speak with an attorney if there was an issue that could not be resolved.  Has a member of your staff ever asked for your feedback as to whether or not the Commission should docket an allegation of discrimination?  Maybe.  Do you recall any instances sitting here today
2 3 4 5 6 7 8 9 10 11 12 13 14	A Q A Q	Gotcha.  The initial step in docketing is the legal standard.  I'm just trying to get at how that decision is made. That's all. So in these weekly meetings is it fair to say that there are agenda items that exist independent of decisions whether to docket allegations of discrimination?  I would be making an assumption because I don't attend those meetings.  Without guessing, what's your knowledge of what's discussed during those weekly meetings, the generally topics of discussion?  Generally speaking, I think it would depend. If	2 3 4 5 6 7 8 9 10 11 12 13 14	A Q A Q	I'm happy to ask the court reporter to state the question again.  (Requested portion read back by court reporter) So that's a very broad question. The best answer that I could give you sitting here today would be if there were a question, we would speak with an attorney if there was an issue that could not be resolved.  Has a member of your staff ever asked for your feedback as to whether or not the Commission should docket an allegation of discrimination?  Maybe.  Do you recall any instances sitting here today where that may have occurred?
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A Q A Q	Gotcha.  The initial step in docketing is the legal standard.  I'm just trying to get at how that decision is made. That's all. So in these weekly meetings is it fair to say that there are agenda items that exist independent of decisions whether to docket allegations of discrimination?  I would be making an assumption because I don't attend those meetings.  Without guessing, what's your knowledge of what's discussed during those weekly meetings, the generally topics of discussion?  Generally speaking, I think it would depend. If the intake coordinator is a new person, then	2 3 4 5 6 7 8 9 10 11 12 13 14 15	A Q A Q A	I'm happy to ask the court reporter to state the question again.  (Requested portion read back by court reporter)  So that's a very broad question. The best answer that I could give you sitting here today would be if there were a question, we would speak with an attorney if there was an issue that could not be resolved.  Has a member of your staff ever asked for your feedback as to whether or not the Commission should docket an allegation of discrimination?  Maybe.  Do you recall any instances sitting here today where that may have occurred?  Sitting here today, I can't give you a
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A Q A Q	Gotcha.  The initial step in docketing is the legal standard.  I'm just trying to get at how that decision is made. That's all. So in these weekly meetings is it fair to say that there are agenda items that exist independent of decisions whether to docket allegations of discrimination?  I would be making an assumption because I don't attend those meetings.  Without guessing, what's your knowledge of what's discussed during those weekly meetings, the generally topics of discussion?  Generally speaking, I think it would depend. If the intake coordinator is a new person, then you're still in the process of training and	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A Q A Q A	I'm happy to ask the court reporter to state the question again.  (Requested portion read back by court reporter) So that's a very broad question. The best answer that I could give you sitting here today would be if there were a question, we would speak with an attorney if there was an issue that could not be resolved.  Has a member of your staff ever asked for your feedback as to whether or not the Commission should docket an allegation of discrimination?  Maybe.  Do you recall any instances sitting here today where that may have occurred?  Sitting here today, I can't give you a definitive answer.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A Q A Q	Gotcha. The initial step in docketing is the legal standard. I'm just trying to get at how that decision is made. That's all. So in these weekly meetings is it fair to say that there are agenda items that exist independent of decisions whether to docket allegations of discrimination? I would be making an assumption because I don't attend those meetings. Without guessing, what's your knowledge of what's discussed during those weekly meetings, the generally topics of discussion? Generally speaking, I think it would depend. If the intake coordinator is a new person, then you're still in the process of training and looking at the legal standard to make sure	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A Q A Q A Q	I'm happy to ask the court reporter to state the question again.  (Requested portion read back by court reporter) So that's a very broad question. The best answer that I could give you sitting here today would be if there were a question, we would speak with an attorney if there was an issue that could not be resolved.  Has a member of your staff ever asked for your feedback as to whether or not the Commission should docket an allegation of discrimination?  Maybe.  Do you recall any instances sitting here today where that may have occurred?  Sitting here today, I can't give you a definitive answer.  Okay. So you don't recall sitting here today a
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q A Q	Gotcha.  The initial step in docketing is the legal standard.  I'm just trying to get at how that decision is made. That's all. So in these weekly meetings is it fair to say that there are agenda items that exist independent of decisions whether to docket allegations of discrimination?  I would be making an assumption because I don't attend those meetings.  Without guessing, what's your knowledge of what's discussed during those weekly meetings, the generally topics of discussion?  Generally speaking, I think it would depend. If the intake coordinator is a new person, then you're still in the process of training and looking at the legal standard to make sure there's understanding.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q A Q A	I'm happy to ask the court reporter to state the question again.  (Requested portion read back by court reporter) So that's a very broad question. The best answer that I could give you sitting here today would be if there were a question, we would speak with an attorney if there was an issue that could not be resolved.  Has a member of your staff ever asked for your feedback as to whether or not the Commission should docket an allegation of discrimination?  Maybe.  Do you recall any instances sitting here today where that may have occurred?  Sitting here today, I can't give you a definitive answer.  Okay. So you don't recall sitting here today a specific example in the context of a specific
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A Q A Q	Gotcha.  The initial step in docketing is the legal standard.  I'm just trying to get at how that decision is made. That's all. So in these weekly meetings is it fair to say that there are agenda items that exist independent of decisions whether to docket allegations of discrimination?  I would be making an assumption because I don't attend those meetings.  Without guessing, what's your knowledge of what's discussed during those weekly meetings, the generally topics of discussion?  Generally speaking, I think it would depend. If the intake coordinator is a new person, then you're still in the process of training and looking at the legal standard to make sure there's understanding.  If they're someone that's more seasoned,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A Q A Q A Q	I'm happy to ask the court reporter to state the question again.  (Requested portion read back by court reporter) So that's a very broad question. The best answer that I could give you sitting here today would be if there were a question, we would speak with an attorney if there was an issue that could not be resolved.  Has a member of your staff ever asked for your feedback as to whether or not the Commission should docket an allegation of discrimination?  Maybe.  Do you recall any instances sitting here today where that may have occurred?  Sitting here today, I can't give you a definitive answer.  Okay. So you don't recall sitting here today a specific example in the context of a specific allegation where you were asked to provide
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A Q	Gotcha.  The initial step in docketing is the legal standard.  I'm just trying to get at how that decision is made. That's all. So in these weekly meetings is it fair to say that there are agenda items that exist independent of decisions whether to docket allegations of discrimination?  I would be making an assumption because I don't attend those meetings.  Without guessing, what's your knowledge of what's discussed during those weekly meetings, the generally topics of discussion?  Generally speaking, I think it would depend. If the intake coordinator is a new person, then you're still in the process of training and looking at the legal standard to make sure there's understanding.  If they're someone that's more seasoned, then there could be potentially a clarification	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A Q A Q	I'm happy to ask the court reporter to state the question again.  (Requested portion read back by court reporter) So that's a very broad question. The best answer that I could give you sitting here today would be if there were a question, we would speak with an attorney if there was an issue that could not be resolved.  Has a member of your staff ever asked for your feedback as to whether or not the Commission should docket an allegation of discrimination?  Maybe.  Do you recall any instances sitting here today where that may have occurred?  Sitting here today, I can't give you a definitive answer.  Okay. So you don't recall sitting here today a specific example in the context of a specific allegation where you were asked to provide feedback as to whether or not that allegation
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q A A	Gotcha.  The initial step in docketing is the legal standard.  I'm just trying to get at how that decision is made. That's all. So in these weekly meetings is it fair to say that there are agenda items that exist independent of decisions whether to docket allegations of discrimination?  I would be making an assumption because I don't attend those meetings.  Without guessing, what's your knowledge of what's discussed during those weekly meetings, the generally topics of discussion?  Generally speaking, I think it would depend. If the intake coordinator is a new person, then you're still in the process of training and looking at the legal standard to make sure there's understanding.  If they're someone that's more seasoned, then there could be potentially a clarification on something. It could be any number of things.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q A Q	I'm happy to ask the court reporter to state the question again.  (Requested portion read back by court reporter)  So that's a very broad question. The best answer that I could give you sitting here today would be if there were a question, we would speak with an attorney if there was an issue that could not be resolved.  Has a member of your staff ever asked for your feedback as to whether or not the Commission should docket an allegation of discrimination?  Maybe.  Do you recall any instances sitting here today where that may have occurred?  Sitting here today, I can't give you a definitive answer.  Okay. So you don't recall sitting here today a specific example in the context of a specific allegation where you were asked to provide feedback as to whether or not that allegation should be docketed, correct?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A Q	Gotcha.  The initial step in docketing is the legal standard.  I'm just trying to get at how that decision is made. That's all. So in these weekly meetings is it fair to say that there are agenda items that exist independent of decisions whether to docket allegations of discrimination?  I would be making an assumption because I don't attend those meetings.  Without guessing, what's your knowledge of what's discussed during those weekly meetings, the generally topics of discussion?  Generally speaking, I think it would depend. If the intake coordinator is a new person, then you're still in the process of training and looking at the legal standard to make sure there's understanding.  If they're someone that's more seasoned, then there could be potentially a clarification	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A Q A A	I'm happy to ask the court reporter to state the question again.  (Requested portion read back by court reporter) So that's a very broad question. The best answer that I could give you sitting here today would be if there were a question, we would speak with an attorney if there was an issue that could not be resolved.  Has a member of your staff ever asked for your feedback as to whether or not the Commission should docket an allegation of discrimination?  Maybe.  Do you recall any instances sitting here today where that may have occurred?  Sitting here today, I can't give you a definitive answer.  Okay. So you don't recall sitting here today a specific example in the context of a specific allegation where you were asked to provide feedback as to whether or not that allegation should be docketed, correct?  That is correct.

					5710
		37			39
1		format of these allegations of discrimination.	1	Α	No. It's confidential.
2		Besides being in writing, verified, signed by	2	Q	Referring to now subsection (b), "The complaint
3		the complainant and witnessed by a notary, are	3		is investigated, and a determination is made by
4		there any other requirements for allegations of	4		the Investigating Commission whether the charge
5		discrimination to become docketed complaints?	5		has a Probable Cause (PC) or No Probable Cause
6	Α	I'm sorry. Are there other requirements?	6		(NPC) finding." Do you see that language I just
7	Q	Yes. Beyond meeting the prima fascia legal	7		referenced?
8		standard, are there any other format	8	Α	Yes.
9		requirements that exist within the Commission	9	Q	How are docketed complaints investigated?
10		for those allegations to become docketed?	10		What's that process?
11	Α	Can you just go over your list again to make	11	Α	The investigation process is the investigator
12		sure that I'm	12		reviews any documentation that has already been
13	Q	Absolutely. In writing, verified, signed by the	13		submitted by either parties and/or requests
14		complainant, and witnessed by the notary.	14		additional documentation from the parties. Has
15		MR. KENISON-MARVIN: Let me just object to	15		interviews with the parties.
16		the extent it calls for a legal contention, but	16	Q	Is the investigator here a member of the
17		you can answer.	17		Commission?
18	Α	I'm unaware of any other bases. It must be	18	Α	I'm unclear about the question.
19		verified which means it's on paper, and it has	19	Q	I believe in earlier testimony we talked about
20		to have a signature which the notary is	20		Commission investigators. Do I have that
21		verifying.	21		recollection correct?
22	Q	Just referring to the last line of paragraph (a)	22		Let me ask this. Who is doing the
23		that is on page 271, there's language that	23		investigating with respect to "the complaint is
		20			4.0
1		38 states whereby both parties are notified in	1		40
1 2		states whereby both parties are notified in	1 2		investigated" language in paragraph B of page
2	Α	states whereby both parties are notified in writing. Do you see that?	2	A	investigated" language in paragraph B of page 10271 in Exhibit 53?
2 3	A O	states whereby both parties are notified in writing. Do you see that? Yes.	2	Α	investigated" language in paragraph B of page 10271 in Exhibit 53?  There's a staff member that is an
2 3 4	A Q	states whereby both parties are notified in writing. Do you see that?  Yes.  So I just want to make sure I understand the	2 3 4		investigated" language in paragraph B of page 10271 in Exhibit 53?  There's a staff member that is an anti-discrimination investigator.
2 3 4 5		states whereby both parties are notified in writing. Do you see that? Yes. So I just want to make sure I understand the process. Once an allegation of discrimination	2 3 4 5	A Q	investigated" language in paragraph B of page 10271 in Exhibit 53?  There's a staff member that is an anti-discrimination investigator.  Is that staff member a Commissioner or someone
2 3 4 5 6		states whereby both parties are notified in writing. Do you see that?  Yes.  So I just want to make sure I understand the process. Once an allegation of discrimination becomes a docketed complaint, a notice is	2 3 4 5 6	Q	investigated" language in paragraph B of page 10271 in Exhibit 53?  There's a staff member that is an anti-discrimination investigator.  Is that staff member a Commissioner or someone who's on staff?
2 3 4 5 6 7		states whereby both parties are notified in writing. Do you see that? Yes. So I just want to make sure I understand the process. Once an allegation of discrimination becomes a docketed complaint, a notice is submitted to the complaining party and the	2 3 4 5 6 7	Q A	investigated" language in paragraph B of page 10271 in Exhibit 53?  There's a staff member that is an anti-discrimination investigator.  Is that staff member a Commissioner or someone who's on staff?  It is not a Commissioner.
2 3 4 5 6 7 8		states whereby both parties are notified in writing. Do you see that?  Yes.  So I just want to make sure I understand the process. Once an allegation of discrimination becomes a docketed complaint, a notice is submitted to the complaining party and the individual alleged to have violated the law; is	2 3 4 5 6 7 8	Q	investigated" language in paragraph B of page 10271 in Exhibit 53?  There's a staff member that is an anti-discrimination investigator.  Is that staff member a Commissioner or someone who's on staff?  It is not a Commissioner.  Okay. How is that investigator assigned?
2 3 4 5 6 7 8 9	Q	states whereby both parties are notified in writing. Do you see that? Yes. So I just want to make sure I understand the process. Once an allegation of discrimination becomes a docketed complaint, a notice is submitted to the complaining party and the individual alleged to have violated the law; is that correct?	2 3 4 5 6 7 8 9	Q A	investigated" language in paragraph B of page 10271 in Exhibit 53?  There's a staff member that is an anti-discrimination investigator.  Is that staff member a Commissioner or someone who's on staff?  It is not a Commissioner.  Okay. How is that investigator assigned?  What's that process? Strike that.
2 3 4 5 6 7 8 9	Q	states whereby both parties are notified in writing. Do you see that? Yes. So I just want to make sure I understand the process. Once an allegation of discrimination becomes a docketed complaint, a notice is submitted to the complaining party and the individual alleged to have violated the law; is that correct? Yes.	2 3 4 5 6 7 8 9	Q A	investigated" language in paragraph B of page 10271 in Exhibit 53?  There's a staff member that is an anti-discrimination investigator.  Is that staff member a Commissioner or someone who's on staff?  It is not a Commissioner.  Okay. How is that investigator assigned?  What's that process? Strike that.  How is the investigator assigned?
2 3 4 5 6 7 8 9 10	Q	states whereby both parties are notified in writing. Do you see that?  Yes.  So I just want to make sure I understand the process. Once an allegation of discrimination becomes a docketed complaint, a notice is submitted to the complaining party and the individual alleged to have violated the law; is that correct?  Yes.  What does that writing look like actually? What	2 3 4 5 6 7 8 9 10	Q A	investigated" language in paragraph B of page 10271 in Exhibit 53?  There's a staff member that is an anti-discrimination investigator.  Is that staff member a Commissioner or someone who's on staff?  It is not a Commissioner.  Okay. How is that investigator assigned?  What's that process? Strike that.  How is the investigator assigned?  MR. KENISON-MARVIN: Objection.
2 3 4 5 6 7 8 9 10 11 12	Q	states whereby both parties are notified in writing. Do you see that?  Yes.  So I just want to make sure I understand the process. Once an allegation of discrimination becomes a docketed complaint, a notice is submitted to the complaining party and the individual alleged to have violated the law; is that correct?  Yes.  What does that writing look like actually? What is the format in which that notice is provided?	2 3 4 5 6 7 8 9 10 11 12	Q A Q	investigated" language in paragraph B of page 10271 in Exhibit 53?  There's a staff member that is an anti-discrimination investigator.  Is that staff member a Commissioner or someone who's on staff?  It is not a Commissioner.  Okay. How is that investigator assigned?  What's that process? Strike that.  How is the investigator assigned?  MR. KENISON-MARVIN: Objection.  Foundation.
2 3 4 5 6 7 8 9 10 11 12 13	Q	states whereby both parties are notified in writing. Do you see that?  Yes.  So I just want to make sure I understand the process. Once an allegation of discrimination becomes a docketed complaint, a notice is submitted to the complaining party and the individual alleged to have violated the law; is that correct?  Yes.  What does that writing look like actually? What is the format in which that notice is provided?  Why don't I ask one good question instead	2 3 4 5 6 7 8 9 10 11 12 13	Q A	investigated" language in paragraph B of page 10271 in Exhibit 53?  There's a staff member that is an anti-discrimination investigator.  Is that staff member a Commissioner or someone who's on staff?  It is not a Commissioner.  Okay. How is that investigator assigned?  What's that process? Strike that.  How is the investigator assigned?  MR. KENISON-MARVIN: Objection.  Foundation.  The Assistant Director will assign new cases
2 3 4 5 6 7 8 9 10 11 12 13 14	Q	states whereby both parties are notified in writing. Do you see that?  Yes.  So I just want to make sure I understand the process. Once an allegation of discrimination becomes a docketed complaint, a notice is submitted to the complaining party and the individual alleged to have violated the law; is that correct?  Yes.  What does that writing look like actually? What is the format in which that notice is provided?  Why don't I ask one good question instead of two compound questions. So what is the	2 3 4 5 6 7 8 9 10 11 12 13 14	Q A Q	investigated" language in paragraph B of page 10271 in Exhibit 53?  There's a staff member that is an anti-discrimination investigator.  Is that staff member a Commissioner or someone who's on staff?  It is not a Commissioner.  Okay. How is that investigator assigned?  What's that process? Strike that.  How is the investigator assigned?  MR. KENISON-MARVIN: Objection.  Foundation.  The Assistant Director will assign new cases each month to the investigators.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q	states whereby both parties are notified in writing. Do you see that? Yes. So I just want to make sure I understand the process. Once an allegation of discrimination becomes a docketed complaint, a notice is submitted to the complaining party and the individual alleged to have violated the law; is that correct? Yes. What does that writing look like actually? What is the format in which that notice is provided? Why don't I ask one good question instead of two compound questions. So what is the format in which that notice is provided to the	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q A Q A Q	investigated" language in paragraph B of page 10271 in Exhibit 53?  There's a staff member that is an anti-discrimination investigator. Is that staff member a Commissioner or someone who's on staff? It is not a Commissioner. Okay. How is that investigator assigned? What's that process? Strike that. How is the investigator assigned? MR. KENISON-MARVIN: Objection. Foundation. The Assistant Director will assign new cases each month to the investigators. Are you involved in that assignment process?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q	states whereby both parties are notified in writing. Do you see that?  Yes.  So I just want to make sure I understand the process. Once an allegation of discrimination becomes a docketed complaint, a notice is submitted to the complaining party and the individual alleged to have violated the law; is that correct?  Yes.  What does that writing look like actually? What is the format in which that notice is provided?  Why don't I ask one good question instead of two compound questions. So what is the format in which that notice is provided to the complaining party and the individual alleged to	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q A Q A	investigated" language in paragraph B of page 10271 in Exhibit 53?  There's a staff member that is an anti-discrimination investigator.  Is that staff member a Commissioner or someone who's on staff?  It is not a Commissioner.  Okay. How is that investigator assigned?  What's that process? Strike that.  How is the investigator assigned?  MR. KENISON-MARVIN: Objection.  Foundation.  The Assistant Director will assign new cases each month to the investigators.  Are you involved in that assignment process?  No.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q A Q	states whereby both parties are notified in writing. Do you see that? Yes.  So I just want to make sure I understand the process. Once an allegation of discrimination becomes a docketed complaint, a notice is submitted to the complaining party and the individual alleged to have violated the law; is that correct? Yes.  What does that writing look like actually? What is the format in which that notice is provided?  Why don't I ask one good question instead of two compound questions. So what is the format in which that notice is provided to the complaining party and the individual alleged to have engaged in discrimination?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q A Q A	investigated" language in paragraph B of page 10271 in Exhibit 53?  There's a staff member that is an anti-discrimination investigator.  Is that staff member a Commissioner or someone who's on staff?  It is not a Commissioner.  Okay. How is that investigator assigned?  What's that process? Strike that.  How is the investigator assigned?  MR. KENISON-MARVIN: Objection.  Foundation.  The Assistant Director will assign new cases each month to the investigators.  Are you involved in that assignment process?  No.  Am I correct I didn't write this down, but I
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q	states whereby both parties are notified in writing. Do you see that? Yes. So I just want to make sure I understand the process. Once an allegation of discrimination becomes a docketed complaint, a notice is submitted to the complaining party and the individual alleged to have violated the law; is that correct? Yes. What does that writing look like actually? What is the format in which that notice is provided? Why don't I ask one good question instead of two compound questions. So what is the format in which that notice is provided to the complaining party and the individual alleged to have engaged in discrimination? The parties receive a cover letter from the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q A	investigated" language in paragraph B of page 10271 in Exhibit 53?  There's a staff member that is an anti-discrimination investigator. Is that staff member a Commissioner or someone who's on staff? It is not a Commissioner. Okay. How is that investigator assigned? What's that process? Strike that. How is the investigator assigned? MR. KENISON-MARVIN: Objection. Foundation. The Assistant Director will assign new cases each month to the investigators. Are you involved in that assignment process? No. Am I correct I didn't write this down, but I want to make sure I have this crystal clear. I
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q A Q	states whereby both parties are notified in writing. Do you see that? Yes.  So I just want to make sure I understand the process. Once an allegation of discrimination becomes a docketed complaint, a notice is submitted to the complaining party and the individual alleged to have violated the law; is that correct? Yes.  What does that writing look like actually? What is the format in which that notice is provided?  Why don't I ask one good question instead of two compound questions. So what is the format in which that notice is provided to the complaining party and the individual alleged to have engaged in discrimination?  The parties receive a cover letter from the Commission. Enclosed with that is a copy of the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q A Q A	investigated" language in paragraph B of page 10271 in Exhibit 53?  There's a staff member that is an anti-discrimination investigator.  Is that staff member a Commissioner or someone who's on staff?  It is not a Commissioner.  Okay. How is that investigator assigned?  What's that process? Strike that.  How is the investigator assigned?  MR. KENISON-MARVIN: Objection.  Foundation.  The Assistant Director will assign new cases each month to the investigators.  Are you involved in that assignment process?  No.  Am I correct I didn't write this down, but I want to make sure I have this crystal clear. I believe you earlier said that there's around
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q	states whereby both parties are notified in writing. Do you see that? Yes.  So I just want to make sure I understand the process. Once an allegation of discrimination becomes a docketed complaint, a notice is submitted to the complaining party and the individual alleged to have violated the law; is that correct? Yes.  What does that writing look like actually? What is the format in which that notice is provided?  Why don't I ask one good question instead of two compound questions. So what is the format in which that notice is provided to the complaining party and the individual alleged to have engaged in discrimination?  The parties receive a cover letter from the Commission. Enclosed with that is a copy of the charge made by the Complainant.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q A	investigated" language in paragraph B of page 10271 in Exhibit 53?  There's a staff member that is an anti-discrimination investigator.  Is that staff member a Commissioner or someone who's on staff?  It is not a Commissioner.  Okay. How is that investigator assigned?  What's that process? Strike that.  How is the investigator assigned?  MR. KENISON-MARVIN: Objection.  Foundation.  The Assistant Director will assign new cases each month to the investigators.  Are you involved in that assignment process?  No.  Am I correct I didn't write this down, but I want to make sure I have this crystal clear. I believe you earlier said that there's around five investigators. Am I accurately remembering
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q	states whereby both parties are notified in writing. Do you see that? Yes.  So I just want to make sure I understand the process. Once an allegation of discrimination becomes a docketed complaint, a notice is submitted to the complaining party and the individual alleged to have violated the law; is that correct? Yes.  What does that writing look like actually? What is the format in which that notice is provided?  Why don't I ask one good question instead of two compound questions. So what is the format in which that notice is provided to the complaining party and the individual alleged to have engaged in discrimination?  The parties receive a cover letter from the Commission. Enclosed with that is a copy of the charge made by the Complainant. Is that docketed complaint once it is docketed,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A Q	investigated" language in paragraph B of page 10271 in Exhibit 53?  There's a staff member that is an anti-discrimination investigator.  Is that staff member a Commissioner or someone who's on staff?  It is not a Commissioner.  Okay. How is that investigator assigned?  What's that process? Strike that.  How is the investigator assigned?  MR. KENISON-MARVIN: Objection.  Foundation.  The Assistant Director will assign new cases each month to the investigators.  Are you involved in that assignment process?  No.  Am I correct I didn't write this down, but I want to make sure I have this crystal clear. I believe you earlier said that there's around five investigators. Am I accurately remembering your testimony?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q	states whereby both parties are notified in writing. Do you see that? Yes.  So I just want to make sure I understand the process. Once an allegation of discrimination becomes a docketed complaint, a notice is submitted to the complaining party and the individual alleged to have violated the law; is that correct? Yes.  What does that writing look like actually? What is the format in which that notice is provided?  Why don't I ask one good question instead of two compound questions. So what is the format in which that notice is provided to the complaining party and the individual alleged to have engaged in discrimination?  The parties receive a cover letter from the Commission. Enclosed with that is a copy of the charge made by the Complainant.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q A Q A Q	investigated" language in paragraph B of page 10271 in Exhibit 53?  There's a staff member that is an anti-discrimination investigator.  Is that staff member a Commissioner or someone who's on staff?  It is not a Commissioner.  Okay. How is that investigator assigned?  What's that process? Strike that.  How is the investigator assigned?  MR. KENISON-MARVIN: Objection.  Foundation.  The Assistant Director will assign new cases each month to the investigators.  Are you involved in that assignment process?  No.  Am I correct I didn't write this down, but I want to make sure I have this crystal clear. I believe you earlier said that there's around five investigators. Am I accurately remembering

		41			43
1		the investigator do next?	1	Q	Okay.
2		MR. KENISON-MARVIN: Objection. Vague,	2		You know how that goes.
3		foundation, speculation. You can answer.	3	Q	I sure do. I sure do. Thank you. That's
4	Q	Why don't I ask you it this way. I'm not trying	4		helpful.
5		to hide the ball. I'm trying to streamline this	5		I have a few kind of followup questions on
6		process.	6		just the general complaint process, and then I
7		Paragraph (b) says that the complaint is	7		promise that we are going to move on.
8		investigated and then a determination is made by	8		Do allegations of discrimination before
9		the Commissioner as to whether or not there's	9		they're docketed, do they have to come from the
10		probable cause or no probable cause. Is that an	10		person who has strike that.
11		accurate reflection of the current process?	11		Can allegations of discrimination, can they
12	Α	Yes.	12		be forwarded by other state agencies to be
13	Q	Why don't we take just a short break.	13		considered by the Commission for docketing?
14		(Recess taken at 12:23 - 12:37 p.m.)	14	Α	I am unclear on what, how to answer that
15	Q	Director Malachi, there is one background	15		question. Is there a way to be more specific so
16		question that I actually just forgot to ask so	16		I can
17		I'm going to go back into my introductory line	17	Q	Sure. If an allegation of discrimination comes
18		of questions, and I just wanted you to describe	18		in from the Department of Education, can the
19		your educational background for me. My	19		Department of Education forward that allegation
20		apologies for forgetting to ask that.	20		of discrimination to the Human Rights Commission
21	Α	How far back are you asking?	21		for consideration?
22	Q	Why don't you start post high school.	22	Α	To clarify
23	Α	I have a degree in journalism. Are you asking	23	Q	For consideration as to whether it would be
		42			44
1		for the school or just the degrees?	1		docketed?
2	Q	Yes. School, degrees and approximate dates.	2	Α	On whether to docket?
3	Α	Ooh.	3	Q	Yes.
4	Q	Approximate dates.	4	Α	So that's a little tough to answer, but I will
5	Α	Long time ago. Degree in journalism. Georgia	5		try my best.
6		State University. 1989 maybe. Master's degree	6	Q	Please do.
7		in human services counseling, Liberty University	7	Α	Ultimately, a docketed charge has to be
8		maybe 2017. You're asking completed programs?	8		completed by the complainant. So there isn't a
9	Q	Yes. If you have programs that you didn't	9		way, other than a complainant's attorney.
10		complete as well, that would be helpful, too.	10		Outside of the complainant themselves signing
11	Α	Currently enrolled in a doctoral program. I	11		and swearing under the pains and penalties of
12		don't know if you're	12		perjury, then their attorney could do that on
13	Q	Oh. I didn't know that. Where is that	13		their behalf. That is the only way to docket a
14		occurring?	14		charge.
15	Α	Liberty University as well. That would be a	15	Q	Before an allegation of discrimination is
16		doctorate of strategic leadership when	16		docketed, do staff members at the HRC ever
17		completed.	17		consult with other state agencies?
18	Q	Any idea when you'll complete it? I know that's	18	Α	Could you clarify?
19		a hard question to ask for any doctoral program.	19	Q	I believe your testimony before is that as part
20	Α	It is a very tough question to answer. A couple	20		of the docketing decision process there will
1					
21		of years.	21		sometimes be consultation with your attorney
21 22	Q	of years.  Okay.  Not exactly sure. Could be less, could be more.	<ul><li>21</li><li>22</li><li>23</li></ul>		sometimes be consultation with your attorney representative of the Department of Justice; is that fair to say?

1	Λ	45 Relatively speaking. So it's not an everyday	1		47 Malachi, on Exhibit 53 to the language 5(a) to
2	^	thing to do that. If something is different,	2		
		-		۸	5(d). Do you see that language?
3	_	then we would consult.	3	A	Yes.
4	Q	It would depend on the circumstances, right?	4	Q	I just want to confirm. Is that the same
5	A	Context.	5		process that exists with respect to allegations
6	Q	Exactly. I understand what you're saying. I	6		of discrimination that are brought under the
7		guess my question is whether when a complaint	7		Freedom from Discrimination statute we
8		is strike that.	8		referenced before in 354-A:9 to 354-A:34?
9		When an allegation of discrimination comes	9	Α	A-29 through A-34?
10		into your office, excluding the Department of	10	Q	Yes. The question is is it the same process.
11		Justice, is there any other state agency that	11		That's all.
12		would be consulted as part of the	12	Α	Okay. So to specifically answer your question,
13		decision-making process as to whether to docket	13		what's described in the section that you
14		an allegation of discrimination?	14		mentioned on the document on Exhibit 53 is the
15	Α	As I sit here today, I'm unaware of another	15		process for the Commission full stop.
16		agency that we would consult.	16	Q	And that would include how allegations of
17	Q	Okay.	17		discrimination are handled under the Freedom
18	Α	If I'm understanding your term.	18		from Discrimination Law in Exhibit 1 located at
19	Q	You are. I think you are.	19		RSA 354-A:29 to 34. Correct? And I'm excluding
20		Has there ever been an instance that you're	20		from that question 193:40, to be clear.
21		aware of in which an allegation of	21	Α	So to be specific, what's mentioned in Exhibit
22		discrimination has been brought forward to your	22		53 is the Commission's process which is no
23		office in which members of your staff have had	23		different relative to any part of how the
		emee in which members of your stair have had			different rolative to any part of now the
		46	4		48
1		conversations with Department of Education about	1		Commission is looking at a charge. So anything
2	•	conversations with Department of Education about whether to docket that allegation?	2		Commission is looking at a charge. So anything that's assigned to the Commission to look at as
2 3	Α	conversations with Department of Education about whether to docket that allegation?  Clarification. Are you asking ever in the	2		Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a
2 3 4		conversations with Department of Education about whether to docket that allegation?  Clarification. Are you asking ever in the history, ever?	2 3 4		Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a docketed charge, (a) through (d).
2 3 4 5	Q	conversations with Department of Education about whether to docket that allegation?  Clarification. Are you asking ever in the history, ever?  Since you've been here.	2 3 4 5	Q	Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a docketed charge, (a) through (d).  And just trying to close the loop on that. So
2 3 4 5		conversations with Department of Education about whether to docket that allegation? Clarification. Are you asking ever in the history, ever? Since you've been here. Relative to?	2 3 4	Q	Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a docketed charge, (a) through (d).
2 3 4 5	Q	conversations with Department of Education about whether to docket that allegation?  Clarification. Are you asking ever in the history, ever?  Since you've been here.	2 3 4 5	Q	Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a docketed charge, (a) through (d).  And just trying to close the loop on that. So
2 3 4 5 6	Q A	conversations with Department of Education about whether to docket that allegation? Clarification. Are you asking ever in the history, ever? Since you've been here. Relative to? Sorry. Relative to any allegation of discrimination with the time frame being since	2 3 4 5 6	Q	Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a docketed charge, (a) through (d).  And just trying to close the loop on that. So that would include allegations made under the
2 3 4 5 6 7	Q A	conversations with Department of Education about whether to docket that allegation? Clarification. Are you asking ever in the history, ever? Since you've been here. Relative to? Sorry. Relative to any allegation of	2 3 4 5 6 7	Q	Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a docketed charge, (a) through (d).  And just trying to close the loop on that. So that would include allegations made under the right to freedom from discrimination statute in
2 3 4 5 6 7 8	Q A	conversations with Department of Education about whether to docket that allegation? Clarification. Are you asking ever in the history, ever? Since you've been here. Relative to? Sorry. Relative to any allegation of discrimination with the time frame being since	2 3 4 5 6 7 8	A	Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a docketed charge, (a) through (d).  And just trying to close the loop on that. So that would include allegations made under the right to freedom from discrimination statute in RSA 354-A:29 to 34. Right?  It includes the entire statute, yes.
2 3 4 5 6 7 8 9	Q A	conversations with Department of Education about whether to docket that allegation? Clarification. Are you asking ever in the history, ever? Since you've been here. Relative to? Sorry. Relative to any allegation of discrimination with the time frame being since you've been Executive Director of the	2 3 4 5 6 7 8 9	A	Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a docketed charge, (a) through (d).  And just trying to close the loop on that. So that would include allegations made under the right to freedom from discrimination statute in RSA 354-A:29 to 34. Right?  It includes the entire statute, yes.
2 3 4 5 6 7 8 9	Q A Q	conversations with Department of Education about whether to docket that allegation? Clarification. Are you asking ever in the history, ever? Since you've been here. Relative to? Sorry. Relative to any allegation of discrimination with the time frame being since you've been Executive Director of the organization.	2 3 4 5 6 7 8 9	A Q	Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a docketed charge, (a) through (d).  And just trying to close the loop on that. So that would include allegations made under the right to freedom from discrimination statute in RSA 354-A:29 to 34. Right?  It includes the entire statute, yes.  I want to direct your attention also on Exhibit
2 3 4 5 6 7 8 9 10	Q A Q	conversations with Department of Education about whether to docket that allegation? Clarification. Are you asking ever in the history, ever? Since you've been here. Relative to? Sorry. Relative to any allegation of discrimination with the time frame being since you've been Executive Director of the organization. Okay. As of 2019 is when education meaning K	2 3 4 5 6 7 8 9 10	A Q	Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a docketed charge, (a) through (d).  And just trying to close the loop on that. So that would include allegations made under the right to freedom from discrimination statute in RSA 354-A:29 to 34. Right?  It includes the entire statute, yes.  I want to direct your attention also on Exhibit 53 to (e) on page 10271. The language that says
2 3 4 5 6 7 8 9 10 11 12	Q A Q	conversations with Department of Education about whether to docket that allegation? Clarification. Are you asking ever in the history, ever? Since you've been here. Relative to? Sorry. Relative to any allegation of discrimination with the time frame being since you've been Executive Director of the organization. Okay. As of 2019 is when education meaning K through 12 public education which covers public	2 3 4 5 6 7 8 9 10 11 12	A Q	Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a docketed charge, (a) through (d).  And just trying to close the loop on that. So that would include allegations made under the right to freedom from discrimination statute in RSA 354-A:29 to 34. Right?  It includes the entire statute, yes.  I want to direct your attention also on Exhibit 53 to (e) on page 10271. The language that says "Finally, the Department of Education (DOE)
2 3 4 5 6 7 8 9 10 11 12 13	Q A Q	conversations with Department of Education about whether to docket that allegation? Clarification. Are you asking ever in the history, ever? Since you've been here. Relative to? Sorry. Relative to any allegation of discrimination with the time frame being since you've been Executive Director of the organization. Okay. As of 2019 is when education meaning K through 12 public education which covers public schools, public charter schools as well as	2 3 4 5 6 7 8 9 10 11 12 13	A Q	Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a docketed charge, (a) through (d).  And just trying to close the loop on that. So that would include allegations made under the right to freedom from discrimination statute in RSA 354-A:29 to 34. Right?  It includes the entire statute, yes.  I want to direct your attention also on Exhibit 53 to (e) on page 10271. The language that says "Finally, the Department of Education (DOE) would be the arbiters of "educator discipline"
2 3 4 5 6 7 8 9 10 11 12 13 14	Q A Q	conversations with Department of Education about whether to docket that allegation?  Clarification. Are you asking ever in the history, ever?  Since you've been here.  Relative to?  Sorry. Relative to any allegation of discrimination with the time frame being since you've been Executive Director of the organization.  Okay. As of 2019 is when education meaning K through 12 public education which covers public schools, public charter schools as well as public academies, that is when education was	2 3 4 5 6 7 8 9 10 11 12 13 14	A Q	Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a docketed charge, (a) through (d).  And just trying to close the loop on that. So that would include allegations made under the right to freedom from discrimination statute in RSA 354-A:29 to 34. Right?  It includes the entire statute, yes.  I want to direct your attention also on Exhibit 53 to (e) on page 10271. The language that says "Finally, the Department of Education (DOE) would be the arbiters of "educator discipline" according to RSA 193:40 (IV), and as "educator"
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q A Q	conversations with Department of Education about whether to docket that allegation?  Clarification. Are you asking ever in the history, ever?  Since you've been here.  Relative to?  Sorry. Relative to any allegation of discrimination with the time frame being since you've been Executive Director of the organization.  Okay. As of 2019 is when education meaning K through 12 public education which covers public schools, public charter schools as well as public academies, that is when education was added to the statute for the Commission so prior	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A Q	Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a docketed charge, (a) through (d).  And just trying to close the loop on that. So that would include allegations made under the right to freedom from discrimination statute in RSA 354-A:29 to 34. Right?  It includes the entire statute, yes.  I want to direct your attention also on Exhibit 53 to (e) on page 10271. The language that says "Finally, the Department of Education (DOE) would be the arbiters of "educator discipline" according to RSA 193:40 (IV), and as "educator" as defined by RSA 193:40 (V)." Do you see that
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q A Q	conversations with Department of Education about whether to docket that allegation?  Clarification. Are you asking ever in the history, ever?  Since you've been here.  Relative to?  Sorry. Relative to any allegation of discrimination with the time frame being since you've been Executive Director of the organization.  Okay. As of 2019 is when education meaning K through 12 public education which covers public schools, public charter schools as well as public academies, that is when education was added to the statute for the Commission so prior to that there were no education charges.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A Q	Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a docketed charge, (a) through (d).  And just trying to close the loop on that. So that would include allegations made under the right to freedom from discrimination statute in RSA 354-A:29 to 34. Right?  It includes the entire statute, yes.  I want to direct your attention also on Exhibit 53 to (e) on page 10271. The language that says "Finally, the Department of Education (DOE) would be the arbiters of "educator discipline" according to RSA 193:40 (IV), and as "educator" as defined by RSA 193:40 (V)." Do you see that language?  Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q A Q	conversations with Department of Education about whether to docket that allegation?  Clarification. Are you asking ever in the history, ever?  Since you've been here.  Relative to?  Sorry. Relative to any allegation of discrimination with the time frame being since you've been Executive Director of the organization.  Okay. As of 2019 is when education meaning K through 12 public education which covers public schools, public charter schools as well as public academies, that is when education was added to the statute for the Commission so prior to that there were no education charges.  Since then as far as I know sitting here	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A Q A Q	Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a docketed charge, (a) through (d).  And just trying to close the loop on that. So that would include allegations made under the right to freedom from discrimination statute in RSA 354-A:29 to 34. Right?  It includes the entire statute, yes.  I want to direct your attention also on Exhibit 53 to (e) on page 10271. The language that says "Finally, the Department of Education (DOE) would be the arbiters of "educator discipline" according to RSA 193:40 (IV), and as "educator" as defined by RSA 193:40 (V)." Do you see that language?  Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q	conversations with Department of Education about whether to docket that allegation?  Clarification. Are you asking ever in the history, ever?  Since you've been here.  Relative to?  Sorry. Relative to any allegation of discrimination with the time frame being since you've been Executive Director of the organization.  Okay. As of 2019 is when education meaning K through 12 public education which covers public schools, public charter schools as well as public academies, that is when education was added to the statute for the Commission so prior to that there were no education charges.  Since then as far as I know sitting here today I mean I could certainly confer with staff, but I am unaware of a time that there was	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q A Q	Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a docketed charge, (a) through (d).  And just trying to close the loop on that. So that would include allegations made under the right to freedom from discrimination statute in RSA 354-A:29 to 34. Right?  It includes the entire statute, yes.  I want to direct your attention also on Exhibit 53 to (e) on page 10271. The language that says "Finally, the Department of Education (DOE) would be the arbiters of "educator discipline" according to RSA 193:40 (IV), and as "educator" as defined by RSA 193:40 (V)." Do you see that language?  Yes.  Just to be clear, that was your understanding as
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q A Q	conversations with Department of Education about whether to docket that allegation? Clarification. Are you asking ever in the history, ever? Since you've been here. Relative to? Sorry. Relative to any allegation of discrimination with the time frame being since you've been Executive Director of the organization. Okay. As of 2019 is when education meaning K through 12 public education which covers public schools, public charter schools as well as public academies, that is when education was added to the statute for the Commission so prior to that there were no education charges. Since then as far as I know sitting here today I mean I could certainly confer with staff, but I am unaware of a time that there was consultation with the Department of Education	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A Q A Q	Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a docketed charge, (a) through (d).  And just trying to close the loop on that. So that would include allegations made under the right to freedom from discrimination statute in RSA 354-A:29 to 34. Right? It includes the entire statute, yes.  I want to direct your attention also on Exhibit 53 to (e) on page 10271. The language that says "Finally, the Department of Education (DOE) would be the arbiters of "educator discipline" according to RSA 193:40 (IV), and as "educator" as defined by RSA 193:40 (V)." Do you see that language?  Yes.  Just to be clear, that was your understanding as of March 4th, 2022. Correct?  Yes.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q	conversations with Department of Education about whether to docket that allegation? Clarification. Are you asking ever in the history, ever? Since you've been here. Relative to? Sorry. Relative to any allegation of discrimination with the time frame being since you've been Executive Director of the organization. Okay. As of 2019 is when education meaning K through 12 public education which covers public schools, public charter schools as well as public academies, that is when education was added to the statute for the Commission so prior to that there were no education charges. Since then as far as I know sitting here today I mean I could certainly confer with staff, but I am unaware of a time that there was consultation with the Department of Education relative to a docketed charge.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q A Q	Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a docketed charge, (a) through (d).  And just trying to close the loop on that. So that would include allegations made under the right to freedom from discrimination statute in RSA 354-A:29 to 34. Right?  It includes the entire statute, yes.  I want to direct your attention also on Exhibit 53 to (e) on page 10271. The language that says "Finally, the Department of Education (DOE) would be the arbiters of "educator discipline" according to RSA 193:40 (IV), and as "educator" as defined by RSA 193:40 (V)." Do you see that language?  Yes.  Just to be clear, that was your understanding as of March 4th, 2022. Correct?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A	conversations with Department of Education about whether to docket that allegation? Clarification. Are you asking ever in the history, ever? Since you've been here. Relative to? Sorry. Relative to any allegation of discrimination with the time frame being since you've been Executive Director of the organization. Okay. As of 2019 is when education meaning K through 12 public education which covers public schools, public charter schools as well as public academies, that is when education was added to the statute for the Commission so prior to that there were no education charges. Since then as far as I know sitting here today I mean I could certainly confer with staff, but I am unaware of a time that there was consultation with the Department of Education	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	A Q A Q	Commission is looking at a charge. So anything that's assigned to the Commission to look at as a potential allegation or I should say as a docketed charge, (a) through (d).  And just trying to close the loop on that. So that would include allegations made under the right to freedom from discrimination statute in RSA 354-A:29 to 34. Right?  It includes the entire statute, yes.  I want to direct your attention also on Exhibit 53 to (e) on page 10271. The language that says "Finally, the Department of Education (DOE) would be the arbiters of "educator discipline" according to RSA 193:40 (IV), and as "educator" as defined by RSA 193:40 (V)." Do you see that language?  Yes.  Just to be clear, that was your understanding as of March 4th, 2022. Correct?  Yes.  Is that still your understanding of the law?

		49			51
1		passed, and I want to be very clear, just	1	Α	I don't recall.
2		talking now about RSA 354-A:29-34. Okay? Have	2	Q	Do you recall you or any member of your staff
3		you or members of the Commission conducted any $ \\$	3		ever speaking to NEA New Hampshire about
4		trainings on those provisions, public trainings?	4		clarifications on the law, sections 297 and 298
5	Α	No.	5		of House Bill 2?
6	Q	So there have been no trainings from the Human	6	Α	I do not recall.
7		Rights Commission to educators; is that correct?	7	Q	Do you recall any internal communications about
8	Α	Correct.	8		whether or not to accept this invitation from
9	Q	Have there been requests for the Human Rights	9		NEA New Hampshire?
10		Commission to provide such trainings by any	10	Α	I don't recall.
11		member of the public?	11	Q	Any communications externally with the
12	Α	I'm unsure. I would have to confer.	12		Department of Education about whether to accept
13	Q	Okay.	13		this invitation?
14		(Exhibit 54 marked for identification)	14	Α	I don't recall.
15	Q	So Director Malachi, I've put before you what's	15	Q	I want to go back to a series of questions I
16		been marked as Exhibit 54 and just ask you to	16		asked about whether complaints can be referred
17		review Exhibit 54 and let me know when you're	17		by other agencies. Are you aware of any
18		done.	18		standard operating procedure or agreement that
19	Α	Okay.	19		exists between the Department of Education and
20	Q	Have you seen Exhibit 54 before?	20		the Department of Justice with respect to how
21	Α	Maybe.	21		complaints the Department of Education receives
22	Q	I would just note that the top of Exhibit 54 is	22		under RSA Chapter 354-A can be referred to the
23		an email from Sarah Burke Cohen who I believe is	23		Human Rights Commission?
		50			52
1		the, I want to get the title, Assistant	1	Α	Ask that again? Because I'm unsure how to
2		Director, to you dated Monday, September 20th,	2		answer that.
3		2021, forwarding an email chain from Irv	3	Q	I'm not entirely sure what I asked.
4		Richardson of New Hampshire NEA to the Human	4	-	(Requested portion read back by court reporter)
5		Rights Commission email address.	5		MR. KENISON-MARVIN: I'll object as
6		So do you recall seeing this email,	6		compound.
7		Director Malachi, on or about September 20th,	7	Q	Is that a question you can answer?
8		2021?	8	Α	Is there a more specific part of that question
9	Α	Maybe. I mean that was multiple years ago. So	9		that you're asking?
10		lots of emails.	10	Q	•
11	Q	I would just note that at the bottom of Exhibit	11		going to pull up a document to just assist me in
12		54 is a request made from Mr. Richardson of NEA	12		asking the question.
13		New Hampshire stating do you have someone	13		I'm just going to refer you to Exhibit 6.
14		associated with the Human Rights Commission that	14		MR. BISSONNETTE: Nate, is that something
15		might provide further clarification on the law	15		that you could just pull? Thank you.
16		and answer questions from educators using a	16	Q	
17		virtual platform? I have reached out to the New	17		you've never seen this before is my assumption,
18		Hampshire Department of Education, and they	18		Director Malachi, but in the interest of
19		indicated that I should make such a request to	19		streamlining this inquiry, I'm going to direct
20		you.	20		you to Bates stamped 806 on Exhibit 6. If you
21		Do you recall how the Human Rights	21		go to the bottom left quadrant, page 19, on page
22		Commission responded to this request from NEA	22		806, there's language from Ms. Diana Fenton that
23		New Hampshire?	23		begins with, and this is in the middle of a

					5350
		53			55
1		sentence, quote, "we have since worked with the	1		operating procedure that would refer allegations
2		AG's office to come up with an SOP as to how we	2		of discrimination to your office that were
3		transfer those cases to the Human Rights	3		received by the Department of Education?
4		Commission and to the AG's office."	4	Α	I'm sorry. Say that again?
5		Do you see, my question only right now is	5		(Requested portion read back by court reporter)
6		do you see the language that I just referenced?	6	Α	I'm sorry. Read it one more time.
7	Α	No.	7		(Requested portion read back by court reporter)
8	Q	Okay.	8	Α	So the question is unclear because, generally
9	Α	What line are you on?	9		speaking, the Commission covers education.
10	Q	Absolutely. Page 19 begins on the bottom left	10	C	Um-hum.
11		quadrant beginning on line 25. I'll just read	11	Α	Which is separate from HB 2 or 354-A:29 through
12		it just once more just so we're on the same	12		34. So are you asking, so could you clarify the
13		page. "We have since worked with the AG's	13		question that you're asking?
14		office to come up with an SOP as to how we	14	C	Sure. What I was asking is about any provision
15		transfer those cases to the Human Rights	15		of 354-A which would include the provisions that
16		Commission and the AG's office." Do you see	16		have been challenged in this case in
17		that language?	17		354-A:29-34. So with that I'll just, I'll kind
18	Α	I do.	18		of reframe my question.
19	Q	Okay. Do you know who Diana Fenton is?	19		Have you been a party to any communications
20	Α	Yes.	20		with the Department of Education concerning a
21	Q	Who is Diana Fenton?	21		standard operating procedure that would allow
22	Α	She's an attorney.	22		for the referral of allegations of
23	Q	Okay. And I just represent to you that this is	23		discrimination under RSA chapter 354-A to the
		5.4			56
1		a portion of the hearing testimony that occurred	1		56 Commission from the Department of Education?
1 2		a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary		A	
		a portion of the hearing testimony that occurred		Α	Commission from the Department of Education?
2		a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary Hearing. So that's why I asked that prior	2	Α	Commission from the Department of Education?  Okay. If I understand your question I'm,
2 3		a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary	2	Α	Commission from the Department of Education?  Okay. If I understand your question I'm, okay. Have I ever been a party to conversations
2 3 4 5		a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary Hearing. So that's why I asked that prior question to you. So I'm just trying to get at	2 3 4	Α	Commission from the Department of Education?  Okay. If I understand your question I'm, okay. Have I ever been a party to conversations regarding an SOP for transferring allegations
2 3 4		a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary Hearing. So that's why I asked that prior question to you. So I'm just trying to get at what your understanding is of this SOP. So I'm	2 3 4 5	A	Commission from the Department of Education?  Okay. If I understand your question I'm, okay. Have I ever been a party to conversations regarding an SOP for transferring allegations from the Department of Education to the
2 3 4 5 6		a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary Hearing. So that's why I asked that prior question to you. So I'm just trying to get at what your understanding is of this SOP. So I'm going to reask the question.	2 3 4 5 6		Commission from the Department of Education? Okay. If I understand your question I'm, okay. Have I ever been a party to conversations regarding an SOP for transferring allegations from the Department of Education to the Commission.
2 3 4 5 6 7		a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary Hearing. So that's why I asked that prior question to you. So I'm just trying to get at what your understanding is of this SOP. So I'm going to reask the question.  Are you aware of any standard operating	2 3 4 5 6 7 8	Q	Commission from the Department of Education?  Okay. If I understand your question I'm, okay. Have I ever been a party to conversations regarding an SOP for transferring allegations from the Department of Education to the Commission.  Precisely.
2 3 4 5 6 7 8		a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary Hearing. So that's why I asked that prior question to you. So I'm just trying to get at what your understanding is of this SOP. So I'm going to reask the question.  Are you aware of any standard operating procedure that exists that governs how cases	2 3 4 5 6 7 8	Q A Q	Commission from the Department of Education?  Okay. If I understand your question I'm, okay. Have I ever been a party to conversations regarding an SOP for transferring allegations from the Department of Education to the Commission.  Precisely. Okay. Thank you.
2 3 4 5 6 7 8 9		a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary Hearing. So that's why I asked that prior question to you. So I'm just trying to get at what your understanding is of this SOP. So I'm going to reask the question.  Are you aware of any standard operating procedure that exists that governs how cases that the Department of Education receives under	2 3 4 5 6 7 8 9	Q A Q	Commission from the Department of Education?  Okay. If I understand your question I'm, okay. Have I ever been a party to conversations regarding an SOP for transferring allegations from the Department of Education to the Commission.  Precisely. Okay. Thank you. No. No. It's fine. I want to make sure we're on the same page. I understand.
2 3 4 5 6 7 8 9	A	a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary Hearing. So that's why I asked that prior question to you. So I'm just trying to get at what your understanding is of this SOP. So I'm going to reask the question.  Are you aware of any standard operating procedure that exists that governs how cases that the Department of Education receives under RSA 354-A can be referred to the Human Rights	2 3 4 5 6 7 8 9	Q A Q	Commission from the Department of Education?  Okay. If I understand your question I'm, okay. Have I ever been a party to conversations regarding an SOP for transferring allegations from the Department of Education to the Commission.  Precisely. Okay. Thank you. No. No. It's fine. I want to make sure we're on the same page. I understand.
2 3 4 5 6 7 8 9 10	A Q	a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary Hearing. So that's why I asked that prior question to you. So I'm just trying to get at what your understanding is of this SOP. So I'm going to reask the question.  Are you aware of any standard operating procedure that exists that governs how cases that the Department of Education receives under RSA 354-A can be referred to the Human Rights Commission?	2 3 4 5 6 7 8 9 10	Q A Q	Commission from the Department of Education? Okay. If I understand your question I'm, okay. Have I ever been a party to conversations regarding an SOP for transferring allegations from the Department of Education to the Commission. Precisely. Okay. Thank you. No. No. It's fine. I want to make sure we're on the same page. I understand. Have there ever been conversations between
2 3 4 5 6 7 8 9 10 11 12	Q	a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary Hearing. So that's why I asked that prior question to you. So I'm just trying to get at what your understanding is of this SOP. So I'm going to reask the question.  Are you aware of any standard operating procedure that exists that governs how cases that the Department of Education receives under RSA 354-A can be referred to the Human Rights Commission?  How allegations are referred?	2 3 4 5 6 7 8 9 10 11 12	Q A Q	Commission from the Department of Education? Okay. If I understand your question I'm, okay. Have I ever been a party to conversations regarding an SOP for transferring allegations from the Department of Education to the Commission. Precisely. Okay. Thank you. No. No. It's fine. I want to make sure we're on the same page. I understand. Have there ever been conversations between myself and the Department of Education? Broadly
2 3 4 5 6 7 8 9 10 11 12 13	Q	a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary Hearing. So that's why I asked that prior question to you. So I'm just trying to get at what your understanding is of this SOP. So I'm going to reask the question.  Are you aware of any standard operating procedure that exists that governs how cases that the Department of Education receives under RSA 354-A can be referred to the Human Rights Commission?  How allegations are referred?  Allegations of discrimination. Yes.	2 3 4 5 6 7 8 9 10 11 12 13	Q A Q	Commission from the Department of Education? Okay. If I understand your question I'm, okay. Have I ever been a party to conversations regarding an SOP for transferring allegations from the Department of Education to the Commission. Precisely. Okay. Thank you. No. No. It's fine. I want to make sure we're on the same page. I understand. Have there ever been conversations between myself and the Department of Education? Broadly speaking, yes. To the specifics that you're
2 3 4 5 6 7 8 9 10 11 12 13	Q	a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary Hearing. So that's why I asked that prior question to you. So I'm just trying to get at what your understanding is of this SOP. So I'm going to reask the question.  Are you aware of any standard operating procedure that exists that governs how cases that the Department of Education receives under RSA 354-A can be referred to the Human Rights Commission?  How allegations are referred?  Allegations of discrimination. Yes.  That would be between the AG's office and the	2 3 4 5 6 7 8 9 10 11 12 13 14	Q A Q A	Commission from the Department of Education? Okay. If I understand your question I'm, okay. Have I ever been a party to conversations regarding an SOP for transferring allegations from the Department of Education to the Commission. Precisely. Okay. Thank you. No. No. It's fine. I want to make sure we're on the same page. I understand. Have there ever been conversations between myself and the Department of Education? Broadly speaking, yes. To the specifics that you're asking, it is not my understanding that I have been.
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q A	a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary Hearing. So that's why I asked that prior question to you. So I'm just trying to get at what your understanding is of this SOP. So I'm going to reask the question.  Are you aware of any standard operating procedure that exists that governs how cases that the Department of Education receives under RSA 354-A can be referred to the Human Rights Commission?  How allegations are referred?  Allegations of discrimination. Yes.  That would be between the AG's office and the Department of Education.	2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q A Q A	Commission from the Department of Education? Okay. If I understand your question I'm, okay. Have I ever been a party to conversations regarding an SOP for transferring allegations from the Department of Education to the Commission. Precisely. Okay. Thank you. No. No. It's fine. I want to make sure we're on the same page. I understand. Have there ever been conversations between myself and the Department of Education? Broadly speaking, yes. To the specifics that you're asking, it is not my understanding that I have been.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q A	a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary Hearing. So that's why I asked that prior question to you. So I'm just trying to get at what your understanding is of this SOP. So I'm going to reask the question.  Are you aware of any standard operating procedure that exists that governs how cases that the Department of Education receives under RSA 354-A can be referred to the Human Rights Commission?  How allegations are referred?  Allegations of discrimination. Yes.  That would be between the AG's office and the Department of Education.  Okay. I'm just asking about what you're aware	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q A Q A	Commission from the Department of Education? Okay. If I understand your question I'm, okay. Have I ever been a party to conversations regarding an SOP for transferring allegations from the Department of Education to the Commission. Precisely. Okay. Thank you. No. No. It's fine. I want to make sure we're on the same page. I understand. Have there ever been conversations between myself and the Department of Education? Broadly speaking, yes. To the specifics that you're asking, it is not my understanding that I have been. Okay. When you say "broadly speaking," you're a
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q A	a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary Hearing. So that's why I asked that prior question to you. So I'm just trying to get at what your understanding is of this SOP. So I'm going to reask the question.  Are you aware of any standard operating procedure that exists that governs how cases that the Department of Education receives under RSA 354-A can be referred to the Human Rights Commission?  How allegations are referred?  Allegations of discrimination. Yes.  That would be between the AG's office and the Department of Education.  Okay. I'm just asking about what you're aware of. Are you though sitting here today aware of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q A Q A	Commission from the Department of Education? Okay. If I understand your question I'm, okay. Have I ever been a party to conversations regarding an SOP for transferring allegations from the Department of Education to the Commission. Precisely. Okay. Thank you. No. No. It's fine. I want to make sure we're on the same page. I understand. Have there ever been conversations between myself and the Department of Education? Broadly speaking, yes. To the specifics that you're asking, it is not my understanding that I have been. Okay. When you say "broadly speaking," you're a party to those communications, when would those communications have occurred and with whom?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q	a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary Hearing. So that's why I asked that prior question to you. So I'm just trying to get at what your understanding is of this SOP. So I'm going to reask the question.  Are you aware of any standard operating procedure that exists that governs how cases that the Department of Education receives under RSA 354-A can be referred to the Human Rights Commission?  How allegations are referred?  Allegations of discrimination. Yes.  That would be between the AG's office and the Department of Education.  Okay. I'm just asking about what you're aware of. Are you though sitting here today aware of any standard operating procedure?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q A	Commission from the Department of Education? Okay. If I understand your question I'm, okay. Have I ever been a party to conversations regarding an SOP for transferring allegations from the Department of Education to the Commission. Precisely. Okay. Thank you. No. No. It's fine. I want to make sure we're on the same page. I understand. Have there ever been conversations between myself and the Department of Education? Broadly speaking, yes. To the specifics that you're asking, it is not my understanding that I have been. Okay. When you say "broadly speaking," you're a party to those communications, when would those communications have occurred and with whom?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q A Q	a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary Hearing. So that's why I asked that prior question to you. So I'm just trying to get at what your understanding is of this SOP. So I'm going to reask the question.  Are you aware of any standard operating procedure that exists that governs how cases that the Department of Education receives under RSA 354-A can be referred to the Human Rights Commission?  How allegations are referred?  Allegations of discrimination. Yes.  That would be between the AG's office and the Department of Education.  Okay. I'm just asking about what you're aware of. Are you though sitting here today aware of any standard operating procedure?  Sitting here today, I'm unclear. You would have	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q A Q A	Commission from the Department of Education? Okay. If I understand your question I'm, okay. Have I ever been a party to conversations regarding an SOP for transferring allegations from the Department of Education to the Commission. Precisely. Okay. Thank you. No. No. It's fine. I want to make sure we're on the same page. I understand. Have there ever been conversations between myself and the Department of Education? Broadly speaking, yes. To the specifics that you're asking, it is not my understanding that I have been. Okay. When you say "broadly speaking," you're a party to those communications, when would those communications have occurred and with whom? In 2019. Somewhere thereabouts because that was
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q	a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary Hearing. So that's why I asked that prior question to you. So I'm just trying to get at what your understanding is of this SOP. So I'm going to reask the question.  Are you aware of any standard operating procedure that exists that governs how cases that the Department of Education receives under RSA 354-A can be referred to the Human Rights Commission?  How allegations are referred?  Allegations of discrimination. Yes.  That would be between the AG's office and the Department of Education.  Okay. I'm just asking about what you're aware of. Are you though sitting here today aware of any standard operating procedure?  Sitting here today, I'm unclear. You would have to speak with the AG's office to understand what that process is.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q A	Commission from the Department of Education? Okay. If I understand your question I'm, okay. Have I ever been a party to conversations regarding an SOP for transferring allegations from the Department of Education to the Commission. Precisely. Okay. Thank you. No. No. It's fine. I want to make sure we're on the same page. I understand. Have there ever been conversations between myself and the Department of Education? Broadly speaking, yes. To the specifics that you're asking, it is not my understanding that I have been. Okay. When you say "broadly speaking," you're a party to those communications, when would those communications have occurred and with whom? In 2019. Somewhere thereabouts because that was when education was included in the statute so it
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A	a portion of the hearing testimony that occurred on March 8, 2023, before the House Judiciary Hearing. So that's why I asked that prior question to you. So I'm just trying to get at what your understanding is of this SOP. So I'm going to reask the question.  Are you aware of any standard operating procedure that exists that governs how cases that the Department of Education receives under RSA 354-A can be referred to the Human Rights Commission?  How allegations are referred?  Allegations of discrimination. Yes.  That would be between the AG's office and the Department of Education.  Okay. I'm just asking about what you're aware of. Are you though sitting here today aware of any standard operating procedure?  Sitting here today, I'm unclear. You would have to speak with the AG's office to understand what	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A	Commission from the Department of Education? Okay. If I understand your question I'm, okay. Have I ever been a party to conversations regarding an SOP for transferring allegations from the Department of Education to the Commission. Precisely. Okay. Thank you. No. No. It's fine. I want to make sure we're on the same page. I understand. Have there ever been conversations between myself and the Department of Education? Broadly speaking, yes. To the specifics that you're asking, it is not my understanding that I have been. Okay. When you say "broadly speaking," you're a party to those communications, when would those communications have occurred and with whom? In 2019. Somewhere thereabouts because that was when education was included in the statute so it would have been with my agency attorney and with

		57			59
1		get. So to further answer the question, 504 and	1		for the substance of those communications, just
2		IEP, the Commission would not have experience in	2		whether the attorney would have been a party,
3		that area. However, if a student was not	3		but I'm happy to give you a minute.
4		receiving that assistance due to discrimination,		A	Yes.
5		then there would have to be a further	5		(Director Malachi and Atty. Kenison-Marvin
6		conversation to address how to move that case	6		leave the conference room and return)
7		forward regarding our confidentiality which is	7		(Requested portion read back by court reporter)
8		different from other agencies and so there could	8	Α	Okay. That's a lot. So the question was
9		need to be a conversation.	9		generally speaking conversations with the
10	Q	That makes sense in light of those changes in	10		Department of Education relative to the Freedom
11		2019.	11		from Discrimination Law act.
12		After the enactment of the Freedom from	12	Q	No. Relative to whether and how referrals could
13		Discrimination Law memorialized in 354-A:29 to	13		be made of complaints that the Department of
14		34, did you ever have a similar conversation as	14		Education receives under RSA 354-A:29 to 34, how
15		to how cases could be referred from the DOE to	15		and if those referrals could be made by the
16		the Human Rights Commission under those new	16		Department of Education to the Human Rights
17		provisions?	17		Commission.
18	Α	I believe there may have been some general	18	Α	Okay. Now that I'm clear, I would not have been
19		conversation and to be specific about the	19		a party to conversations between the Department
20		generalization, the individual who is	20		of Education and the AG's office relative to the
21		potentially aggrieved has to file a charge.	21		referral of cases or allegations or it could
22	Q	Okay.	22		only be an allegation.
23	Α	In order for the Commission to take action.	23	Q	Okay. I want to make sure that I now understand
1	Q	58 Okay. So you said general conversations? Do	1		your prior testimony. After the enactment of
2	Q	you recall when those general conversations	2		the, let me just say the challenged law in this
3		occurred and with whom?	3		case, have you had conversations with Attorney
4	Α	I don't. I mean, certainly it would have been	4		Fenton about how allegations of discrimination
5	, ,	after the act was signed. So some time after	5		under the Freedom from Discrimination Law could
6		I believe it went into effect in 2021. So it	6		be referred by the Department of Education to
7		would have been some time after June of 2021.	7		the Human Rights Commission?
				٨	That actually needs a little more clarity. If
8	_	More specifically, I can't tell you.		Α	•
9	Q	Okay. If you had those communications with the	9		you're asking if it was made clear that there
10		Department of Education do you know whether or	10		has to be someone to sign a charge, meaning a
11		not Diana Fenton would have been a participant	11		complainant, then there was a conversation
12		in those discussions?	12	_	relative to that.
	A	Yes. I believe she would have been.	13	Q	Okay.
14	Q	Do you also believe that Elizabeth Brown would		A	Outside of that, meaning that general charges,
15		have been a party to those communications?	15		general, no, not that I can recall.
16	A	I don't know.	16	Q	That meeting that you just referenced, who was a
17	Q	Do you know who Elizabeth Brown is?	17		participant in that meeting?
18	Α	I do not know who that is.		Α	So the meeting that I referenced was in larger
19	Q	Fair enough. Would an attorney from the	19		context of the new amendment. It was not
20		Department of Justice also have been a party to	20		specific to an agreement or a standard operating
21		those communications?	21		procedure between the Department of Education
22	Α	I need a moment.	22		and the Department of Justice to be clear.
23	Q	Please do. Just for the record I'm not asking	23	Q	That's helpful. Do you know when this meeting
1					

					010
		61			63
1		occurred?	1		objection. To the extent that you have a
2	Α	Which meeting?	2		recollection of conversations that anyone was
3	Q	The meeting that you just referenced that was	3		asking attorneys for legal advice or how law
4		part of a larger context in which there was a	4		would apply, that information we would claim a
5		discussion that someone has to sign a charge for	5		privilege to and I would instruct you not to
6		the Commission to accept it. That meeting.	6		provide the details of those conversations as
7	Α	I do not recall.	7		well as any decisions that were being made,
8		MR. KENISON-MARVIN: I want to object. I	8		deliberations related to decisions to be made,
9		think that mischaracterizes the testimony.	9		substance of those conversations. So I would
10		MR. BISSONNETTE: I was just trying to get	10		instruct you not to provide those details on the
11		at that meeting. Whatever that was discussed at	11		basis of those privileges. To the extent you
12		that meeting.	12		can answer the question without providing,
13		MR. KENISON-MARVIN: I don't want to make a	13		there's information in response to the question
14		speaking objection, but I want to try to cut to	14		that you could provide that's not what I
15		the chase if I can be helpful.	15		described, you can answer it.
16		MR. BISSONNETTE: Please do.	16		MR. BISSONNETTE: I'm going to withdraw the
17		MR. KENISON-MARVIN: Maybe I'm wrong in my	17		question real quickly in light of that
18		misunderstanding, whether there's a distinction	18		objection.
19		between the general meeting and the conversation	19	Q	Back to this meeting I would, though, in an
20		with Diana Fenton.	20		effort to try to probe that privilege a bit,
21		MR. BISSONNETTE: Okay.	21		just try to get a handle on who all the
22		MR. KENISON-MARVIN: That's where my	22		participants were in that meeting if you could
23		objection is based.	23		remember. Just if you could list them all out.
	^	Marilhara Cinda llancarata handarara Can	,	٨	64
	Q	May I have, Cindy, I'm sorry to burden you. Can		A	As I stated, that was several years ago so I
2		I just have read back to me the portion of	2		don't have a complete recollection of everyone
3		Director Malachi's response in which she talks	3	_	that was in the room.
4		about the larger context.	4	Q	Okay. Do you know if Attorney Sean Locke was in
5	_	(Requested portion read back by court reporter)	5		the room? Any recollection?
6	Q	So my question is what do you remember about	6		I do not recall.
7		that meeting in which that larger context was		Q	Okay. Were other state agencies represented at
8		referenced and who participated in that meeting?	8		that meeting?
9	А	The meeting would have been some time ago. I am	9	A	Could you be more specific?
10		not a hundred percent clear on all of the	10	Q	,
11		individuals that may have been there.	11		representative at that meeting?
12	Q	Okay. What do you recall, is there anything you	12	Α	Yes.
13		could recall sitting here today about the		Q	<u>'</u>
14		substance of that meeting that was part of a		A	
15		larger context?	15		was there which would have been Chris Bond I
16	Α	Generally speaking, my recollection, I believe	16		believe at the time.
17		we may have talked about the case processing	17	Q	Okay. And do you recall anyone else that was
18		process.	18		present during this meeting?
19	Q	Okay.	19	Α	The Commissioner might have been there, but I am
20	Α	I know that attorneys were present.	20		not a hundred percent sure.
21	Q	Okay. When you refer to "case processing," do	21	Q	You may have answered this and I forget the
22		you recall any specifics about that?	22		response and I apologize, but obviously we know
23		MR. KENISON-MARVIN: I'll state a limited	23		that the challenged law in this case was enacted
1			1		

	65			67
1	in June 2021. Do you recall when this meeting	1		conversations about whether the Human Rights
2	occurred after June 2021?	2		Commission could accept that as an allegation
3 A	I do not recall.	3		and then proceed to make a determination as to
4 Q	Okay. Do you recall whether any decisions were	4		whether or not it should be docketed.
5	made during this meeting about how to process		Α	I'm unsure of any I don't recall any
6	claims of discrimination that are made under	6		conversations.
7	354-A:29 to 34?		Q	Okay. I don't want to know the contents, but I
8 A	I don't recall the full context or content of	8	_	do have to ask the question. Did you ever
9	the conversations.	9		receive a document from Attorney Sean Locke that
10 Q		10		generally discussed how allegations of
11	Director Malachi. I know that you said earlier	11		discrimination that the DOE may receive could be
12	that there was a discussion or statement made	12		referred to the Human Rights Commission? Just
		13		
13	where you said that for a case to be docketed by			asking whether you received a document along
14	the HRC that someone has to sign a charge. Am I	14	٨	those lines.
15	accurately remembering your testimony?	_	A	I don't recall.
16 A	I would hope I would have stated that the	16	Q	Okay. Last question along these lines, and I'm
17	complainant has to sign a charge.	17		going to wrap up this inquiry. I'm just going
18 Q	•	18		to submit to you that Representative Glenn
19 A	Or their attorney.	19		Cordelli stated in March 2023 that the Attorney
20 Q	,	20		General's office has, quote, "been more
21	discussed in a separate conversation with	21		cooperative," end quote, with respect to, quote,
22	Attorney Fenton?	22		"getting cases referred to the Human Rights
23 A	I don't recall.	23		Commission." This was stated around March 2023.
	66			68
1 Q	Aside from the meeting that you just referenced	1		Do you know what Representative Cordelli is
2	moments ago that was part of a larger context,	2		talking about there?
3	do you recall any other communications with any			3
4		3	Α	You would have to ask him.
1 -	•	3		You would have to ask him.  But you've never had communications with the
5	other state officials outside of the HRC about	4	A Q	But you've never had communications with the
5	other state officials outside of the HRC about how allegations of discrimination could be	4 5		But you've never had communications with the Department of Education, the Department of
6	other state officials outside of the HRC about how allegations of discrimination could be referred from the Department of Education to the	4 5 6		But you've never had communications with the Department of Education, the Department of Justice about the Attorney General's office
6 7	other state officials outside of the HRC about how allegations of discrimination could be referred from the Department of Education to the Human Rights Commission?	4 5 6 7		But you've never had communications with the Department of Education, the Department of Justice about the Attorney General's office becoming more cooperative with respect to
6 7 8 A	other state officials outside of the HRC about how allegations of discrimination could be referred from the Department of Education to the Human Rights Commission?  Could you ask that again, please?	4 5 6 7 8		But you've never had communications with the Department of Education, the Department of Justice about the Attorney General's office becoming more cooperative with respect to getting cases referred to the Human Rights
6 7 8 A 9 Q	other state officials outside of the HRC about how allegations of discrimination could be referred from the Department of Education to the Human Rights Commission?  Could you ask that again, please?  Sure. Excluding the meeting that we just	4 5 6 7 8 9	Q	But you've never had communications with the Department of Education, the Department of Justice about the Attorney General's office becoming more cooperative with respect to getting cases referred to the Human Rights Commission; is that true?
6 7 8 A 9 Q 10	other state officials outside of the HRC about how allegations of discrimination could be referred from the Department of Education to the Human Rights Commission?  Could you ask that again, please?  Sure. Excluding the meeting that we just referenced that was part of a larger context, do	4 5 6 7 8 9	Q	But you've never had communications with the Department of Education, the Department of Justice about the Attorney General's office becoming more cooperative with respect to getting cases referred to the Human Rights Commission; is that true?  I don't recall any conversations of that type.
6 7 8 A 9 Q 10 11	other state officials outside of the HRC about how allegations of discrimination could be referred from the Department of Education to the Human Rights Commission?  Could you ask that again, please?  Sure. Excluding the meeting that we just referenced that was part of a larger context, do you recall having any other discussions with	4 5 6 7 8 9 10	Q	But you've never had communications with the Department of Education, the Department of Justice about the Attorney General's office becoming more cooperative with respect to getting cases referred to the Human Rights Commission; is that true?  I don't recall any conversations of that type.  Okay. With respect to the challenged law in
6 7 8 A 9 Q 10 11	other state officials outside of the HRC about how allegations of discrimination could be referred from the Department of Education to the Human Rights Commission?  Could you ask that again, please?  Sure. Excluding the meeting that we just referenced that was part of a larger context, do you recall having any other discussions with state officials outside of the Human Rights	4 5 6 7 8 9 10 11 12	Q	But you've never had communications with the Department of Education, the Department of Justice about the Attorney General's office becoming more cooperative with respect to getting cases referred to the Human Rights Commission; is that true?  I don't recall any conversations of that type.  Okay. With respect to the challenged law in this case in Exhibit 1, was your office ever
6 7 8 A 9 Q 10 11 12 13	other state officials outside of the HRC about how allegations of discrimination could be referred from the Department of Education to the Human Rights Commission? Could you ask that again, please? Sure. Excluding the meeting that we just referenced that was part of a larger context, do you recall having any other discussions with state officials outside of the Human Rights Commission about how allegations of	4 5 6 7 8 9 10 11 12 13	Q	But you've never had communications with the Department of Education, the Department of Justice about the Attorney General's office becoming more cooperative with respect to getting cases referred to the Human Rights Commission; is that true?  I don't recall any conversations of that type.  Okay. With respect to the challenged law in this case in Exhibit 1, was your office ever involved in drafting the language of Exhibit 1
6 7 8 A 9 Q 10 11 12 13 14	other state officials outside of the HRC about how allegations of discrimination could be referred from the Department of Education to the Human Rights Commission?  Could you ask that again, please?  Sure. Excluding the meeting that we just referenced that was part of a larger context, do you recall having any other discussions with state officials outside of the Human Rights Commission about how allegations of discrimination could be referred by the	4 5 6 7 8 9 10 11 12 13 14	Q	But you've never had communications with the Department of Education, the Department of Justice about the Attorney General's office becoming more cooperative with respect to getting cases referred to the Human Rights Commission; is that true?  I don't recall any conversations of that type.  Okay. With respect to the challenged law in this case in Exhibit 1, was your office ever involved in drafting the language of Exhibit 1 when HB 2 was in the Senate, to be considered in
6 7 8 A 9 Q 10 11 12 13 14 15	other state officials outside of the HRC about how allegations of discrimination could be referred from the Department of Education to the Human Rights Commission?  Could you ask that again, please?  Sure. Excluding the meeting that we just referenced that was part of a larger context, do you recall having any other discussions with state officials outside of the Human Rights Commission about how allegations of discrimination could be referred by the Department of Education to the Human Rights	4 5 6 7 8 9 10 11 12 13 14 15	Q A Q	But you've never had communications with the Department of Education, the Department of Justice about the Attorney General's office becoming more cooperative with respect to getting cases referred to the Human Rights Commission; is that true?  I don't recall any conversations of that type.  Okay. With respect to the challenged law in this case in Exhibit 1, was your office ever involved in drafting the language of Exhibit 1 when HB 2 was in the Senate, to be considered in the Senate?
6 7 8 A 9 Q 10 11 12 13 14 15 16	other state officials outside of the HRC about how allegations of discrimination could be referred from the Department of Education to the Human Rights Commission?  Could you ask that again, please?  Sure. Excluding the meeting that we just referenced that was part of a larger context, do you recall having any other discussions with state officials outside of the Human Rights Commission about how allegations of discrimination could be referred by the Department of Education to the Human Rights Commission?	4 5 6 7 8 9 10 11 12 13 14 15	Q A Q	But you've never had communications with the Department of Education, the Department of Justice about the Attorney General's office becoming more cooperative with respect to getting cases referred to the Human Rights Commission; is that true?  I don't recall any conversations of that type.  Okay. With respect to the challenged law in this case in Exhibit 1, was your office ever involved in drafting the language of Exhibit 1 when HB 2 was in the Senate, to be considered in the Senate?  Could I see Exhibit 1?
6 7 8 A 9 Q 10 11 12 13 14 15 16 17 A	other state officials outside of the HRC about how allegations of discrimination could be referred from the Department of Education to the Human Rights Commission?  Could you ask that again, please?  Sure. Excluding the meeting that we just referenced that was part of a larger context, do you recall having any other discussions with state officials outside of the Human Rights Commission about how allegations of discrimination could be referred by the Department of Education to the Human Rights Commission?  Are you asking if it's an allegation or are you	4 5 6 7 8 9 10 11 12 13 14 15 16	Q A Q A Q	But you've never had communications with the Department of Education, the Department of Justice about the Attorney General's office becoming more cooperative with respect to getting cases referred to the Human Rights Commission; is that true?  I don't recall any conversations of that type.  Okay. With respect to the challenged law in this case in Exhibit 1, was your office ever involved in drafting the language of Exhibit 1 when HB 2 was in the Senate, to be considered in the Senate?  Could I see Exhibit 1?  Yes. Of course.
6 7 8 A 9 Q 10 11 12 13 14 15 16 17 A 18	other state officials outside of the HRC about how allegations of discrimination could be referred from the Department of Education to the Human Rights Commission?  Could you ask that again, please?  Sure. Excluding the meeting that we just referenced that was part of a larger context, do you recall having any other discussions with state officials outside of the Human Rights Commission about how allegations of discrimination could be referred by the Department of Education to the Human Rights Commission?  Are you asking if it's an allegation or are you asking if it's a charge?	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q	But you've never had communications with the Department of Education, the Department of Justice about the Attorney General's office becoming more cooperative with respect to getting cases referred to the Human Rights Commission; is that true?  I don't recall any conversations of that type.  Okay. With respect to the challenged law in this case in Exhibit 1, was your office ever involved in drafting the language of Exhibit 1 when HB 2 was in the Senate, to be considered in the Senate?  Could I see Exhibit 1?  Yes. Of course.  Could you ask me your question again, please?
6 7 8 A 9 Q 10 11 12 13 14 15 16 17 A 18 19 Q	other state officials outside of the HRC about how allegations of discrimination could be referred from the Department of Education to the Human Rights Commission?  Could you ask that again, please?  Sure. Excluding the meeting that we just referenced that was part of a larger context, do you recall having any other discussions with state officials outside of the Human Rights Commission about how allegations of discrimination could be referred by the Department of Education to the Human Rights Commission?  Are you asking if it's an allegation or are you asking if it's a charge?  Allegation of discrimination. Hasn't been	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q A Q A	But you've never had communications with the Department of Education, the Department of Justice about the Attorney General's office becoming more cooperative with respect to getting cases referred to the Human Rights Commission; is that true?  I don't recall any conversations of that type.  Okay. With respect to the challenged law in this case in Exhibit 1, was your office ever involved in drafting the language of Exhibit 1 when HB 2 was in the Senate, to be considered in the Senate?  Could I see Exhibit 1?  Yes. Of course.  Could you ask me your question again, please? (Requested portion read back by court reporter)
6 7 8 A 9 Q 10 11 12 13 14 15 16 17 A 18 19 Q	other state officials outside of the HRC about how allegations of discrimination could be referred from the Department of Education to the Human Rights Commission?  Could you ask that again, please?  Sure. Excluding the meeting that we just referenced that was part of a larger context, do you recall having any other discussions with state officials outside of the Human Rights Commission about how allegations of discrimination could be referred by the Department of Education to the Human Rights Commission?  Are you asking if it's an allegation or are you asking if it's a charge?  Allegation of discrimination. Hasn't been docketed, it comes to the Department of	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q A A	But you've never had communications with the Department of Education, the Department of Justice about the Attorney General's office becoming more cooperative with respect to getting cases referred to the Human Rights Commission; is that true?  I don't recall any conversations of that type.  Okay. With respect to the challenged law in this case in Exhibit 1, was your office ever involved in drafting the language of Exhibit 1 when HB 2 was in the Senate, to be considered in the Senate?  Could I see Exhibit 1?  Yes. Of course.  Could you ask me your question again, please? (Requested portion read back by court reporter)
6 7 8 A 9 Q 10 11 12 13 14 15 16 17 A 18 19 Q 20 21	other state officials outside of the HRC about how allegations of discrimination could be referred from the Department of Education to the Human Rights Commission? Could you ask that again, please? Sure. Excluding the meeting that we just referenced that was part of a larger context, do you recall having any other discussions with state officials outside of the Human Rights Commission about how allegations of discrimination could be referred by the Department of Education to the Human Rights Commission? Are you asking if it's an allegation or are you asking if it's a charge? Allegation of discrimination. Hasn't been docketed, it comes to the Department of Education may think	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A Q A	But you've never had communications with the Department of Education, the Department of Justice about the Attorney General's office becoming more cooperative with respect to getting cases referred to the Human Rights Commission; is that true?  I don't recall any conversations of that type.  Okay. With respect to the challenged law in this case in Exhibit 1, was your office ever involved in drafting the language of Exhibit 1 when HB 2 was in the Senate, to be considered in the Senate?  Could I see Exhibit 1?  Yes. Of course.  Could you ask me your question again, please? (Requested portion read back by court reporter)  No.  Were you ever asked for feedback while Exhibit 1
6 7 8 A 9 Q 10 11 12 13 14 15 16 17 A 18 19 Q	other state officials outside of the HRC about how allegations of discrimination could be referred from the Department of Education to the Human Rights Commission?  Could you ask that again, please?  Sure. Excluding the meeting that we just referenced that was part of a larger context, do you recall having any other discussions with state officials outside of the Human Rights Commission about how allegations of discrimination could be referred by the Department of Education to the Human Rights Commission?  Are you asking if it's an allegation or are you asking if it's a charge?  Allegation of discrimination. Hasn't been docketed, it comes to the Department of	4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q A A	But you've never had communications with the Department of Education, the Department of Justice about the Attorney General's office becoming more cooperative with respect to getting cases referred to the Human Rights Commission; is that true?  I don't recall any conversations of that type.  Okay. With respect to the challenged law in this case in Exhibit 1, was your office ever involved in drafting the language of Exhibit 1 when HB 2 was in the Senate, to be considered in the Senate?  Could I see Exhibit 1?  Yes. Of course.  Could you ask me your question again, please? (Requested portion read back by court reporter)

		<b>CO</b>			
1		1?	1		71 believe the Attorney General's office confirmed
2	Α	No.	2		that during the hearing, but my question to you
3	Q	You can set that aside. Thank you, Director	3		is is that your understanding of the process
4		Malachi.	4		with respect to when the Department of Education
5		I just did have a couple followup questions	5		under their code of conduct can pursue a charge
6		about this referral business, and I'm sorry to	6		under the challenged law?
7		belabor the point.		Α	Could you reread the part that you'd like me to
8		Besides yourself, and I know we went over	8		answer.
9		the conversations that you may or may not have	9	Q	
10		been involved in with respect to whether	10		matter of practice is simply declining to
11		allegations could be referred, are you aware of	11		consider any allegation that these statutes are
12		any communications that Commissioners within the	12		being violated by any teacher until and unless
13		Human Rights Commission may have had with the	13		that person making the complaint has gone to the
14		Department of Justice or the DOE about how	14		Human Rights Commission."
15		allegations of discrimination could be referred	15		My question to you is is that your
16		by the DOE to the HRC?	16		understanding as well of when the Department of
17	Α	I don't recall having any knowledge.	17		Education can pursue action against an educator
18	Q	Have there been any writings issued by either	18		under the challenged law?
19	_	you or the Commissioners to staff about whether	19		
20		to accept allegations of discrimination under	20		would be statutorily someone has to come to the
21		the challenged law from the Department of	21		Commission first.
22		Education?	22		Q Okay.
23	Α	Could you be more specific on the writings?	23	Δ	
					·
1	0	70 Sure By writing what I mean are any	1		72
1	Q	Sure. By writing, what I mean are any	1 2		any appeals that the person may have, then it
2		Sure. By writing, what I mean are any directive, policies, or guidance.	2	0	any appeals that the person may have, then it moves on to wherever it goes after that.
3	Α	Sure. By writing, what I mean are any directive, policies, or guidance. No.	2	Q	any appeals that the person may have, then it moves on to wherever it goes after that.  Okay. Where does that understanding come from?
2 3 4		Sure. By writing, what I mean are any directive, policies, or guidance.  No.  The communication that you had as part of a	2 3 4	Q	any appeals that the person may have, then it moves on to wherever it goes after that.  Okay. Where does that understanding come from? Is that in a writing, in a document? What's the
2 3 4 5	Α	Sure. By writing, what I mean are any directive, policies, or guidance.  No.  The communication that you had as part of a larger context that we referenced before, did	2 3 4 5	Q	any appeals that the person may have, then it moves on to wherever it goes after that.  Okay. Where does that understanding come from? Is that in a writing, in a document? What's the basis of your statement that someone first has
2 3 4 5 6	Α	Sure. By writing, what I mean are any directive, policies, or guidance.  No.  The communication that you had as part of a larger context that we referenced before, did you brief your fellow Commissioners about that	2 3 4 5 6	Q	any appeals that the person may have, then it moves on to wherever it goes after that.  Okay. Where does that understanding come from? Is that in a writing, in a document? What's the basis of your statement that someone first has to come to the HRC?
2 3 4 5 6 7	Α	Sure. By writing, what I mean are any directive, policies, or guidance.  No.  The communication that you had as part of a larger context that we referenced before, did you brief your fellow Commissioners about that conversation? Strike that.	2 3 4 5 6 7	Q	any appeals that the person may have, then it moves on to wherever it goes after that.  Okay. Where does that understanding come from? Is that in a writing, in a document? What's the basis of your statement that someone first has to come to the HRC?  MR. KENISON-MARVIN: Objection to the
2 3 4 5 6 7 8	Α	Sure. By writing, what I mean are any directive, policies, or guidance.  No.  The communication that you had as part of a larger context that we referenced before, did you brief your fellow Commissioners about that conversation? Strike that.  That conversation that you referenced in	2 3 4 5 6 7 8	Q	any appeals that the person may have, then it moves on to wherever it goes after that.  Okay. Where does that understanding come from? Is that in a writing, in a document? What's the basis of your statement that someone first has to come to the HRC?  MR. KENISON-MARVIN: Objection to the extent it calls for a legal contention. You can
2 3 4 5 6 7 8 9	Α	Sure. By writing, what I mean are any directive, policies, or guidance.  No.  The communication that you had as part of a larger context that we referenced before, did you brief your fellow Commissioners about that conversation? Strike that.  That conversation that you referenced in your earlier testimony that was part of a larger	2 3 4 5 6 7 8 9		any appeals that the person may have, then it moves on to wherever it goes after that.  Okay. Where does that understanding come from? Is that in a writing, in a document? What's the basis of your statement that someone first has to come to the HRC?  MR. KENISON-MARVIN: Objection to the extent it calls for a legal contention. You can answer.
2 3 4 5 6 7 8 9	Α	Sure. By writing, what I mean are any directive, policies, or guidance.  No.  The communication that you had as part of a larger context that we referenced before, did you brief your fellow Commissioners about that conversation? Strike that.  That conversation that you referenced in your earlier testimony that was part of a larger context, did you brief the Commissioners about	2 3 4 5 6 7 8 9	A	any appeals that the person may have, then it moves on to wherever it goes after that.  Okay. Where does that understanding come from? Is that in a writing, in a document? What's the basis of your statement that someone first has to come to the HRC?  MR. KENISON-MARVIN: Objection to the extent it calls for a legal contention. You can answer.  Statutorily to file a charge of discrimination
2 3 4 5 6 7 8 9 10	A Q	Sure. By writing, what I mean are any directive, policies, or guidance.  No.  The communication that you had as part of a larger context that we referenced before, did you brief your fellow Commissioners about that conversation? Strike that.  That conversation that you referenced in your earlier testimony that was part of a larger context, did you brief the Commissioners about that communication?	2 3 4 5 6 7 8 9 10	ı A	any appeals that the person may have, then it moves on to wherever it goes after that.  Okay. Where does that understanding come from? Is that in a writing, in a document? What's the basis of your statement that someone first has to come to the HRC?  MR. KENISON-MARVIN: Objection to the extent it calls for a legal contention. You can answer.  Statutorily to file a charge of discrimination under 354-A a Complainant has to come to the
2 3 4 5 6 7 8 9 10 11 12	A Q	Sure. By writing, what I mean are any directive, policies, or guidance.  No.  The communication that you had as part of a larger context that we referenced before, did you brief your fellow Commissioners about that conversation? Strike that.  That conversation that you referenced in your earlier testimony that was part of a larger context, did you brief the Commissioners about that communication?  Sitting here today, I don't recall.	2 3 4 5 6 7 8 9 10 11 12	Α.	any appeals that the person may have, then it moves on to wherever it goes after that.  Okay. Where does that understanding come from? Is that in a writing, in a document? What's the basis of your statement that someone first has to come to the HRC?  MR. KENISON-MARVIN: Objection to the extent it calls for a legal contention. You can answer.  Statutorily to file a charge of discrimination under 354-A a Complainant has to come to the Commission, whether it's employment, public
2 3 4 5 6 7 8 9 10 11 12 13	A Q	Sure. By writing, what I mean are any directive, policies, or guidance.  No.  The communication that you had as part of a larger context that we referenced before, did you brief your fellow Commissioners about that conversation? Strike that.  That conversation that you referenced in your earlier testimony that was part of a larger context, did you brief the Commissioners about that communication?  Sitting here today, I don't recall.  I'm going to switch gears here. Okay? Director	2 3 4 5 6 7 8 9 10 11 12 13	Α.	any appeals that the person may have, then it moves on to wherever it goes after that.  Okay. Where does that understanding come from? Is that in a writing, in a document? What's the basis of your statement that someone first has to come to the HRC?  MR. KENISON-MARVIN: Objection to the extent it calls for a legal contention. You can answer.  Statutorily to file a charge of discrimination under 354-A a Complainant has to come to the Commission, whether it's employment, public accommodation, housing, or K through 12
2 3 4 5 6 7 8 9 10 11 12 13	A Q	Sure. By writing, what I mean are any directive, policies, or guidance.  No.  The communication that you had as part of a larger context that we referenced before, did you brief your fellow Commissioners about that conversation? Strike that.  That conversation that you referenced in your earlier testimony that was part of a larger context, did you brief the Commissioners about that communication?  Sitting here today, I don't recall.  I'm going to switch gears here. Okay? Director Malachi, there was a statement made by the	2 3 4 5 6 7 8 9 10 11 12 13 14	, A	any appeals that the person may have, then it moves on to wherever it goes after that.  Okay. Where does that understanding come from? Is that in a writing, in a document? What's the basis of your statement that someone first has to come to the HRC?  MR. KENISON-MARVIN: Objection to the extent it calls for a legal contention. You can answer.  Statutorily to file a charge of discrimination under 354-A a Complainant has to come to the Commission, whether it's employment, public accommodation, housing, or K through 12 education, and as such unless outlined
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A Q	Sure. By writing, what I mean are any directive, policies, or guidance.  No.  The communication that you had as part of a larger context that we referenced before, did you brief your fellow Commissioners about that conversation? Strike that.  That conversation that you referenced in your earlier testimony that was part of a larger context, did you brief the Commissioners about that communication?  Sitting here today, I don't recall.  I'm going to switch gears here. Okay? Director Malachi, there was a statement made by the Attorney General's office at the Motion to	2 3 4 5 6 7 8 9 10 11 12 13	, A	any appeals that the person may have, then it moves on to wherever it goes after that.  Okay. Where does that understanding come from? Is that in a writing, in a document? What's the basis of your statement that someone first has to come to the HRC?  MR. KENISON-MARVIN: Objection to the extent it calls for a legal contention. You can answer.  Statutorily to file a charge of discrimination under 354-A a Complainant has to come to the Commission, whether it's employment, public accommodation, housing, or K through 12 education, and as such unless outlined differently there would be any other amended
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A Q	Sure. By writing, what I mean are any directive, policies, or guidance.  No.  The communication that you had as part of a larger context that we referenced before, did you brief your fellow Commissioners about that conversation? Strike that.  That conversation that you referenced in your earlier testimony that was part of a larger context, did you brief the Commissioners about that communication?  Sitting here today, I don't recall.  I'm going to switch gears here. Okay? Director Malachi, there was a statement made by the Attorney General's office at the Motion to Dismiss hearing in this case, quote, "The	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	, A	any appeals that the person may have, then it moves on to wherever it goes after that.  Okay. Where does that understanding come from? Is that in a writing, in a document? What's the basis of your statement that someone first has to come to the HRC?  MR. KENISON-MARVIN: Objection to the extent it calls for a legal contention. You can answer.  Statutorily to file a charge of discrimination under 354-A a Complainant has to come to the Commission, whether it's employment, public accommodation, housing, or K through 12 education, and as such unless outlined differently there would be any other amended section based on the statute.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A Q	Sure. By writing, what I mean are any directive, policies, or guidance.  No.  The communication that you had as part of a larger context that we referenced before, did you brief your fellow Commissioners about that conversation? Strike that.  That conversation that you referenced in your earlier testimony that was part of a larger context, did you brief the Commissioners about that communication?  Sitting here today, I don't recall.  I'm going to switch gears here. Okay? Director Malachi, there was a statement made by the Attorney General's office at the Motion to Dismiss hearing in this case, quote, "The Department of Education as a matter of practice	2 3 4 5 6 7 8 9 10 11 12 13 14 15		any appeals that the person may have, then it moves on to wherever it goes after that.  Okay. Where does that understanding come from? Is that in a writing, in a document? What's the basis of your statement that someone first has to come to the HRC?  MR. KENISON-MARVIN: Objection to the extent it calls for a legal contention. You can answer.  Statutorily to file a charge of discrimination under 354-A a Complainant has to come to the Commission, whether it's employment, public accommodation, housing, or K through 12 education, and as such unless outlined differently there would be any other amended section based on the statute.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q	Sure. By writing, what I mean are any directive, policies, or guidance.  No.  The communication that you had as part of a larger context that we referenced before, did you brief your fellow Commissioners about that conversation? Strike that.  That conversation that you referenced in your earlier testimony that was part of a larger context, did you brief the Commissioners about that communication?  Sitting here today, I don't recall.  I'm going to switch gears here. Okay? Director Malachi, there was a statement made by the Attorney General's office at the Motion to Dismiss hearing in this case, quote, "The Department of Education as a matter of practice is simply declining to consider any allegation	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18		any appeals that the person may have, then it moves on to wherever it goes after that.  Okay. Where does that understanding come from? Is that in a writing, in a document? What's the basis of your statement that someone first has to come to the HRC?  MR. KENISON-MARVIN: Objection to the extent it calls for a legal contention. You can answer.  Statutorily to file a charge of discrimination under 354-A a Complainant has to come to the Commission, whether it's employment, public accommodation, housing, or K through 12 education, and as such unless outlined differently there would be any other amended section based on the statute.  Do you have any other basis for that besides what's in the statute?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A Q	Sure. By writing, what I mean are any directive, policies, or guidance.  No.  The communication that you had as part of a larger context that we referenced before, did you brief your fellow Commissioners about that conversation? Strike that.  That conversation that you referenced in your earlier testimony that was part of a larger context, did you brief the Commissioners about that communication?  Sitting here today, I don't recall.  I'm going to switch gears here. Okay? Director Malachi, there was a statement made by the Attorney General's office at the Motion to Dismiss hearing in this case, quote, "The Department of Education as a matter of practice is simply declining to consider any allegation that these statutes are being violated by any	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18		any appeals that the person may have, then it moves on to wherever it goes after that.  Okay. Where does that understanding come from? Is that in a writing, in a document? What's the basis of your statement that someone first has to come to the HRC?  MR. KENISON-MARVIN: Objection to the extent it calls for a legal contention. You can answer.  Statutorily to file a charge of discrimination under 354-A a Complainant has to come to the Commission, whether it's employment, public accommodation, housing, or K through 12 education, and as such unless outlined differently there would be any other amended section based on the statute.  Do you have any other basis for that besides what's in the statute?  MR. KENISON-MARVIN: Same objection.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q	Sure. By writing, what I mean are any directive, policies, or guidance.  No.  The communication that you had as part of a larger context that we referenced before, did you brief your fellow Commissioners about that conversation? Strike that.  That conversation that you referenced in your earlier testimony that was part of a larger context, did you brief the Commissioners about that communication?  Sitting here today, I don't recall.  I'm going to switch gears here. Okay? Director Malachi, there was a statement made by the Attorney General's office at the Motion to Dismiss hearing in this case, quote, "The Department of Education as a matter of practice is simply declining to consider any allegation that these statutes are being violated by any teacher until and unless that person making the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18		any appeals that the person may have, then it moves on to wherever it goes after that.  Okay. Where does that understanding come from? Is that in a writing, in a document? What's the basis of your statement that someone first has to come to the HRC?  MR. KENISON-MARVIN: Objection to the extent it calls for a legal contention. You can answer.  Statutorily to file a charge of discrimination under 354-A a Complainant has to come to the Commission, whether it's employment, public accommodation, housing, or K through 12 education, and as such unless outlined differently there would be any other amended section based on the statute.  Do you have any other basis for that besides what's in the statute?  MR. KENISON-MARVIN: Same objection.  Any other basis for believing that?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q	Sure. By writing, what I mean are any directive, policies, or guidance.  No.  The communication that you had as part of a larger context that we referenced before, did you brief your fellow Commissioners about that conversation? Strike that.  That conversation that you referenced in your earlier testimony that was part of a larger context, did you brief the Commissioners about that communication?  Sitting here today, I don't recall.  I'm going to switch gears here. Okay? Director Malachi, there was a statement made by the Attorney General's office at the Motion to Dismiss hearing in this case, quote, "The Department of Education as a matter of practice is simply declining to consider any allegation that these statutes are being violated by any teacher until and unless that person making the complaint has gone to the Human Rights	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21		any appeals that the person may have, then it moves on to wherever it goes after that.  Okay. Where does that understanding come from? Is that in a writing, in a document? What's the basis of your statement that someone first has to come to the HRC?  MR. KENISON-MARVIN: Objection to the extent it calls for a legal contention. You can answer.  Statutorily to file a charge of discrimination under 354-A a Complainant has to come to the Commission, whether it's employment, public accommodation, housing, or K through 12 education, and as such unless outlined differently there would be any other amended section based on the statute.  Do you have any other basis for that besides what's in the statute?  MR. KENISON-MARVIN: Same objection.  Any other basis for believing that?  I'm sorry? Restate?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q	Sure. By writing, what I mean are any directive, policies, or guidance.  No.  The communication that you had as part of a larger context that we referenced before, did you brief your fellow Commissioners about that conversation? Strike that.  That conversation that you referenced in your earlier testimony that was part of a larger context, did you brief the Commissioners about that communication?  Sitting here today, I don't recall.  I'm going to switch gears here. Okay? Director Malachi, there was a statement made by the Attorney General's office at the Motion to Dismiss hearing in this case, quote, "The Department of Education as a matter of practice is simply declining to consider any allegation that these statutes are being violated by any teacher until and unless that person making the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20		any appeals that the person may have, then it moves on to wherever it goes after that.  Okay. Where does that understanding come from? Is that in a writing, in a document? What's the basis of your statement that someone first has to come to the HRC?  MR. KENISON-MARVIN: Objection to the extent it calls for a legal contention. You can answer.  Statutorily to file a charge of discrimination under 354-A a Complainant has to come to the Commission, whether it's employment, public accommodation, housing, or K through 12 education, and as such unless outlined differently there would be any other amended section based on the statute.  Do you have any other basis for that besides what's in the statute?  MR. KENISON-MARVIN: Same objection.  Any other basis for believing that?  I'm sorry? Restate?

					7570
		73			75
1		must first seek relief before the Human Rights	1	Α	Could you clarify which statute?
2		Commission before action can be taken against an	2	Q	I'm going to withdraw the question.
3		educator?	3		I would like to direct your attention,
4	Α	The statute is the guidance.	4		Director Malachi, back to Exhibit 1. I'm just
5	Q	Okay. I'm just going to direct your attention	5		going to direct your attention in particular to
6		back to Exhibit 1, and page PL 006 starting at	6		page 004, line 37. Bear with me one second,
7		line 23. It goes on to page 7, line 15. So	7		please.
8		this is the statute RSA 193:40, and when you see	8		On line 36 on page PL 004 of Exhibit 1
9		that language just let me know.	9		there's language there that states, quote, "no
10	Α	I'm sorry. Line 23 through?	10		public employer, either directly or through the
11	Q	I'm sorry. Line 23 to the next page, line 19,	11		use of an outside contractor, shall teach,
12		and it's RSA 193:40 on Exhibit 1.	12		advocate, instruct or train any employee,
13	Α	I see it.	13		student, service recipient, contractor, staff
14	Q	Okay. Do you have any authority in enforcing	14		member, inmate or any other individual group,
15		that statute?	15		any one or more of the following." Do you see
16		MR. KENISON-MARVIN: Objection. Legal	16		that language?
17		contention. You can answer.	17	Α	Yes.
18	Α	The Commission does not have jurisdiction over	18	Q	What I'm going to just kind of focus you on is
19		193:40.	19		the language "shall teach, advocate, instruct or
20	Q	So if someone brought a claim to the Human	20		train" in the statute. Okay? So that's the
21		Rights Commission under RSA 193:40, your view is	21		language that I'm targeting right now in my next
22		you would have no jurisdiction to adjudicate it;	22		line of questions on line 37 on page PL 004 of
23		is that correct?	23		Exhibit 1.
١.		74			76
1		MR. KENISON-MARVIN: Same objection.	1		So my question is does the Human Rights
		T. O	_		- 1
2	A	The Commission has jurisdiction over 354-A.	2		Commission have any internal policy or guidance
3	A Q	And RSA 193:40 is not within RSA 354-A so is it	3		Commission have any internal policy or guidance as to what the terms mean, "teach, advocate,
3 4		And RSA 193:40 is not within RSA 354-A so is it fair to say in your view you do not believe the	3 4		Commission have any internal policy or guidance as to what the terms mean, "teach, advocate, instruct or train" under that statute?
3 4 5		And RSA 193:40 is not within RSA 354-A so is it fair to say in your view you do not believe the Commission has jurisdiction to hear a claim	3 4 5	A	Commission have any internal policy or guidance as to what the terms mean, "teach, advocate, instruct or train" under that statute?  No.
3 4 5 6		And RSA 193:40 is not within RSA 354-A so is it fair to say in your view you do not believe the Commission has jurisdiction to hear a claim under RSA 193:40?	3 4 5 6	A Q	Commission have any internal policy or guidance as to what the terms mean, "teach, advocate, instruct or train" under that statute?  No.  Is there any internal guidance within the
3 4 5 6 7	Q	And RSA 193:40 is not within RSA 354-A so is it fair to say in your view you do not believe the Commission has jurisdiction to hear a claim under RSA 193:40?  MR. KENISON-MARVIN: Same objection.	3 4 5		Commission have any internal policy or guidance as to what the terms mean, "teach, advocate, instruct or train" under that statute?  No.  Is there any internal guidance within the Commission explaining whether or not the phrase
3 4 5 6		And RSA 193:40 is not within RSA 354-A so is it fair to say in your view you do not believe the Commission has jurisdiction to hear a claim under RSA 193:40?  MR. KENISON-MARVIN: Same objection. As I sit here today it would be my understanding	3 4 5 6		Commission have any internal policy or guidance as to what the terms mean, "teach, advocate, instruct or train" under that statute?  No.  Is there any internal guidance within the  Commission explaining whether or not the phrase "teach, advocate, instruct or train" would
3 4 5 6 7 8 9	Q	And RSA 193:40 is not within RSA 354-A so is it fair to say in your view you do not believe the Commission has jurisdiction to hear a claim under RSA 193:40?  MR. KENISON-MARVIN: Same objection.  As I sit here today it would be my understanding that the Commission only has authority over	3 4 5 6 7 8 9		Commission have any internal policy or guidance as to what the terms mean, "teach, advocate, instruct or train" under that statute?  No.  Is there any internal guidance within the  Commission explaining whether or not the phrase "teach, advocate, instruct or train" would include teacher-facilitated group instruction in
3 4 5 6 7 8	Q	And RSA 193:40 is not within RSA 354-A so is it fair to say in your view you do not believe the Commission has jurisdiction to hear a claim under RSA 193:40?  MR. KENISON-MARVIN: Same objection. As I sit here today it would be my understanding that the Commission only has authority over 354-A.	3 4 5 6 7 8 9	Q	Commission have any internal policy or guidance as to what the terms mean, "teach, advocate, instruct or train" under that statute?  No.  Is there any internal guidance within the  Commission explaining whether or not the phrase "teach, advocate, instruct or train" would include teacher-facilitated group instruction in a classroom?
3 4 5 6 7 8 9 10	Q	And RSA 193:40 is not within RSA 354-A so is it fair to say in your view you do not believe the Commission has jurisdiction to hear a claim under RSA 193:40?  MR. KENISON-MARVIN: Same objection.  As I sit here today it would be my understanding that the Commission only has authority over 354-A.  Do you know sitting here today who would have	3 4 5 6 7 8 9 10	Q A	Commission have any internal policy or guidance as to what the terms mean, "teach, advocate, instruct or train" under that statute?  No.  Is there any internal guidance within the  Commission explaining whether or not the phrase "teach, advocate, instruct or train" would include teacher-facilitated group instruction in a classroom?  No.
3 4 5 6 7 8 9	Q	And RSA 193:40 is not within RSA 354-A so is it fair to say in your view you do not believe the Commission has jurisdiction to hear a claim under RSA 193:40?  MR. KENISON-MARVIN: Same objection. As I sit here today it would be my understanding that the Commission only has authority over 354-A.	3 4 5 6 7 8 9	Q A	Commission have any internal policy or guidance as to what the terms mean, "teach, advocate, instruct or train" under that statute?  No.  Is there any internal guidance within the  Commission explaining whether or not the phrase "teach, advocate, instruct or train" would include teacher-facilitated group instruction in a classroom?
3 4 5 6 7 8 9 10 11 12 13	Q	And RSA 193:40 is not within RSA 354-A so is it fair to say in your view you do not believe the Commission has jurisdiction to hear a claim under RSA 193:40?  MR. KENISON-MARVIN: Same objection.  As I sit here today it would be my understanding that the Commission only has authority over 354-A.  Do you know sitting here today who would have jurisdiction over a complaint made exclusively under 193:40?	3 4 5 6 7 8 9 10 11 12 13	Q A	Commission have any internal policy or guidance as to what the terms mean, "teach, advocate, instruct or train" under that statute?  No.  Is there any internal guidance within the  Commission explaining whether or not the phrase "teach, advocate, instruct or train" would include teacher-facilitated group instruction in a classroom?  No.  Is there any written guidance or policy that would explain whether or not the phrase "teach,
3 4 5 6 7 8 9 10 11 12	Q	And RSA 193:40 is not within RSA 354-A so is it fair to say in your view you do not believe the Commission has jurisdiction to hear a claim under RSA 193:40?  MR. KENISON-MARVIN: Same objection. As I sit here today it would be my understanding that the Commission only has authority over 354-A.  Do you know sitting here today who would have jurisdiction over a complaint made exclusively	3 4 5 6 7 8 9 10 11 12	Q A	Commission have any internal policy or guidance as to what the terms mean, "teach, advocate, instruct or train" under that statute?  No.  Is there any internal guidance within the  Commission explaining whether or not the phrase "teach, advocate, instruct or train" would include teacher-facilitated group instruction in a classroom?  No.  Is there any written guidance or policy that would explain whether or not the phrase "teach, advocate, instruct or train" would include
3 4 5 6 7 8 9 10 11 12 13 14	Q	And RSA 193:40 is not within RSA 354-A so is it fair to say in your view you do not believe the Commission has jurisdiction to hear a claim under RSA 193:40?  MR. KENISON-MARVIN: Same objection.  As I sit here today it would be my understanding that the Commission only has authority over 354-A.  Do you know sitting here today who would have jurisdiction over a complaint made exclusively under 193:40?  MR. KENISON-MARVIN: Same objection. I do not have expertise in 193 so whose RSA that	3 4 5 6 7 8 9 10 11 12 13	Q A	Commission have any internal policy or guidance as to what the terms mean, "teach, advocate, instruct or train" under that statute?  No.  Is there any internal guidance within the Commission explaining whether or not the phrase "teach, advocate, instruct or train" would include teacher-facilitated group instruction in a classroom?  No.  Is there any written guidance or policy that would explain whether or not the phrase "teach, advocate, instruct or train" would include assigning a book to students in a classroom?
3 4 5 6 7 8 9 10 11 12 13 14	Q A Q	And RSA 193:40 is not within RSA 354-A so is it fair to say in your view you do not believe the Commission has jurisdiction to hear a claim under RSA 193:40?  MR. KENISON-MARVIN: Same objection.  As I sit here today it would be my understanding that the Commission only has authority over 354-A.  Do you know sitting here today who would have jurisdiction over a complaint made exclusively under 193:40?  MR. KENISON-MARVIN: Same objection.	3 4 5 6 7 8 9 10 11 12 13 14	Q A Q	Commission have any internal policy or guidance as to what the terms mean, "teach, advocate, instruct or train" under that statute?  No.  Is there any internal guidance within the  Commission explaining whether or not the phrase "teach, advocate, instruct or train" would include teacher-facilitated group instruction in a classroom?  No.  Is there any written guidance or policy that would explain whether or not the phrase "teach, advocate, instruct or train" would include assigning a book to students in a classroom? I'm sorry. Internal policy or the FAQ?
3 4 5 6 7 8 9 10 11 12 13 14 15	Q A Q	And RSA 193:40 is not within RSA 354-A so is it fair to say in your view you do not believe the Commission has jurisdiction to hear a claim under RSA 193:40?  MR. KENISON-MARVIN: Same objection.  As I sit here today it would be my understanding that the Commission only has authority over 354-A.  Do you know sitting here today who would have jurisdiction over a complaint made exclusively under 193:40?  MR. KENISON-MARVIN: Same objection. I do not have expertise in 193 so whose RSA that	3 4 5 6 7 8 9 10 11 12 13 14 15	Q A Q	Commission have any internal policy or guidance as to what the terms mean, "teach, advocate, instruct or train" under that statute?  No.  Is there any internal guidance within the Commission explaining whether or not the phrase "teach, advocate, instruct or train" would include teacher-facilitated group instruction in a classroom?  No.  Is there any written guidance or policy that would explain whether or not the phrase "teach, advocate, instruct or train" would include assigning a book to students in a classroom?
3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q A Q	And RSA 193:40 is not within RSA 354-A so is it fair to say in your view you do not believe the Commission has jurisdiction to hear a claim under RSA 193:40?  MR. KENISON-MARVIN: Same objection.  As I sit here today it would be my understanding that the Commission only has authority over 354-A.  Do you know sitting here today who would have jurisdiction over a complaint made exclusively under 193:40?  MR. KENISON-MARVIN: Same objection. I do not have expertise in 193 so whose RSA that belongs to would be the body that has authority over 193:40.	3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q A Q	Commission have any internal policy or guidance as to what the terms mean, "teach, advocate, instruct or train" under that statute?  No.  Is there any internal guidance within the  Commission explaining whether or not the phrase "teach, advocate, instruct or train" would include teacher-facilitated group instruction in a classroom?  No.  Is there any written guidance or policy that would explain whether or not the phrase "teach, advocate, instruct or train" would include assigning a book to students in a classroom?  I'm sorry. Internal policy or the FAQ?
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q A Q	And RSA 193:40 is not within RSA 354-A so is it fair to say in your view you do not believe the Commission has jurisdiction to hear a claim under RSA 193:40?  MR. KENISON-MARVIN: Same objection.  As I sit here today it would be my understanding that the Commission only has authority over 354-A.  Do you know sitting here today who would have jurisdiction over a complaint made exclusively under 193:40?  MR. KENISON-MARVIN: Same objection. I do not have expertise in 193 so whose RSA that belongs to would be the body that has authority over 193:40.	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q A Q	Commission have any internal policy or guidance as to what the terms mean, "teach, advocate, instruct or train" under that statute?  No.  Is there any internal guidance within the Commission explaining whether or not the phrase "teach, advocate, instruct or train" would include teacher-facilitated group instruction in a classroom?  No.  Is there any written guidance or policy that would explain whether or not the phrase "teach, advocate, instruct or train" would include assigning a book to students in a classroom? I'm sorry. Internal policy or the FAQ? Any internal policy that's a fair question.
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q	And RSA 193:40 is not within RSA 354-A so is it fair to say in your view you do not believe the Commission has jurisdiction to hear a claim under RSA 193:40?  MR. KENISON-MARVIN: Same objection.  As I sit here today it would be my understanding that the Commission only has authority over 354-A.  Do you know sitting here today who would have jurisdiction over a complaint made exclusively under 193:40?  MR. KENISON-MARVIN: Same objection. I do not have expertise in 193 so whose RSA that belongs to would be the body that has authority over 193:40.  Okay. Besides the statute has there been	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q	Commission have any internal policy or guidance as to what the terms mean, "teach, advocate, instruct or train" under that statute?  No.  Is there any internal guidance within the Commission explaining whether or not the phrase "teach, advocate, instruct or train" would include teacher-facilitated group instruction in a classroom?  No.  Is there any written guidance or policy that would explain whether or not the phrase "teach, advocate, instruct or train" would include assigning a book to students in a classroom?  I'm sorry. Internal policy or the FAQ?  Any internal policy that's a fair question.  So any internal policy excluding the FAQ as
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q A Q	And RSA 193:40 is not within RSA 354-A so is it fair to say in your view you do not believe the Commission has jurisdiction to hear a claim under RSA 193:40?  MR. KENISON-MARVIN: Same objection.  As I sit here today it would be my understanding that the Commission only has authority over 354-A.  Do you know sitting here today who would have jurisdiction over a complaint made exclusively under 193:40?  MR. KENISON-MARVIN: Same objection. I do not have expertise in 193 so whose RSA that belongs to would be the body that has authority over 193:40.  Okay. Besides the statute has there been written guidance that explains that a person	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q A Q	Commission have any internal policy or guidance as to what the terms mean, "teach, advocate, instruct or train" under that statute?  No.  Is there any internal guidance within the Commission explaining whether or not the phrase "teach, advocate, instruct or train" would include teacher-facilitated group instruction in a classroom?  No.  Is there any written guidance or policy that would explain whether or not the phrase "teach, advocate, instruct or train" would include assigning a book to students in a classroom? I'm sorry. Internal policy or the FAQ? Any internal policy that's a fair question. So any internal policy excluding the FAQ as to whether the phrase "teach, advocate, instruct
3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q	And RSA 193:40 is not within RSA 354-A so is it fair to say in your view you do not believe the Commission has jurisdiction to hear a claim under RSA 193:40?  MR. KENISON-MARVIN: Same objection.  As I sit here today it would be my understanding that the Commission only has authority over 354-A.  Do you know sitting here today who would have jurisdiction over a complaint made exclusively under 193:40?  MR. KENISON-MARVIN: Same objection. I do not have expertise in 193 so whose RSA that belongs to would be the body that has authority over 193:40.  Okay. Besides the statute has there been written guidance that explains that a person must first go to the Human Rights Commission	3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q A Q	Commission have any internal policy or guidance as to what the terms mean, "teach, advocate, instruct or train" under that statute?  No.  Is there any internal guidance within the Commission explaining whether or not the phrase "teach, advocate, instruct or train" would include teacher-facilitated group instruction in a classroom?  No.  Is there any written guidance or policy that would explain whether or not the phrase "teach, advocate, instruct or train" would include assigning a book to students in a classroom?  I'm sorry. Internal policy or the FAQ?  Any internal policy that's a fair question.  So any internal policy excluding the FAQ as to whether the phrase "teach, advocate, instruct or train" includes assigning a book to students?

					7700
		77	,		79
1	^	issued with respect to the challenged law?	1	_	the complainant is pursuing a charge.
	Α	I don't know the date. If you're asking about	2	Q	Okay. So the reference "legal standard." I
3		the FAQ provided by the Attorney General, that	3		just want to make sure. Is what you're
4		is what I'm speaking of.	4		referring to just the language of the statute in
5	Q	I'm just going to direct your attention to	5		RSA 354-A:29-34?
6		MR. BISSONNETTE: If you wouldn't mind just	6	Α	To that I understand, yes.
7		pulling out real quick, Nate, just Exhibit 24.	7	Q	Are there any other standards that you're using
8		MR. KENISON-MARVIN: For the witness?	8		in deciding whether or not an allegation of
9		MR. BISSONNETTE: You know what? Pull that	9		discrimination brought under RSA 354-A:29-34
10		one back. I'm sorry.	10		should be docketed?
11		(Exhibit 56 marked for identification)	11		MR. KENISON-MARVIN: Objection to the
12	Q	So my question to you is going to be, after	12		extent it misstates prior testimony.
13		you've reviewed it, are these the FAQs that you	13	Α	Could you be a little more specific?
14		just referenced that are in Exhibit 55.	14	Q	How about this. Beyond the FAQs that we just
15	Α	Sitting here today without comparing to any	15		presented to you in Exhibit 54, and beyond the
16		notes I might have, it does appear that this is	16		language of the statute in RSA 354-A:29-34, is
17		most likely the Frequently Asked Questions	17		there any other policy or guidance that the
18		guidance.	18		Commission uses in deciding whether an
19	Q	That's all I wanted to know. So setting aside	19		allegation of discrimination under RSA
20		the contents of Exhibit 55, is there any other	20		354-A:29-34 should be docketed?
21		internal policy or procedure that exists within	21	Α	No.
22		the Commission that defines what it means to	22	Q	Can we take a two-minute break?
23		"teach, advocate, instruct or train" under the	23		(Discussion off the record)
1		78	1		(Lunch recess taken 1:51 - 2:32 n m.)
1	Δ	provisions of RSA 354-A:31 in Exhibit 1?	1	0	(Lunch recess taken 1:51 - 2:32 p.m.)
2	A	provisions of RSA 354-A:31 in Exhibit 1? No.	2	Q	(Lunch recess taken 1:51 - 2:32 p.m.) So we're back on. I'm just going to have your
2 3	A Q	provisions of RSA 354-A:31 in Exhibit 1?  No. I'm sorry to bounce around, Director Malachi. I	2	Q	(Lunch recess taken 1:51 - 2:32 p.m.)  So we're back on. I'm just going to have your attorney put before you what's been previously
2 3 4		provisions of RSA 354-A:31 in Exhibit 1?  No.  I'm sorry to bounce around, Director Malachi. I know moment a ago you said you're not an expert	2 3 4	Q	(Lunch recess taken 1:51 - 2:32 p.m.) So we're back on. I'm just going to have your attorney put before you what's been previously marked as Exhibits 12 and 13. I'd just ask you
2 3 4 5		provisions of RSA 354-A:31 in Exhibit 1?  No.  I'm sorry to bounce around, Director Malachi. I know moment a ago you said you're not an expert on 193:40 in Exhibit 1. Is there anyone at the	2 3 4 5	Q	(Lunch recess taken 1:51 - 2:32 p.m.)  So we're back on. I'm just going to have your attorney put before you what's been previously marked as Exhibits 12 and 13. I'd just ask you to review Exhibits 12 and 13 briefly and just to
2 3 4 5 6		provisions of RSA 354-A:31 in Exhibit 1?  No. I'm sorry to bounce around, Director Malachi. I know moment a ago you said you're not an expert on 193:40 in Exhibit 1. Is there anyone at the Human Rights Commission that would be an expert	2 3 4 5 6	Q	(Lunch recess taken 1:51 - 2:32 p.m.) So we're back on. I'm just going to have your attorney put before you what's been previously marked as Exhibits 12 and 13. I'd just ask you to review Exhibits 12 and 13 briefly and just to let me know when you finish.
2 3 4 5 6 7		provisions of RSA 354-A:31 in Exhibit 1?  No.  I'm sorry to bounce around, Director Malachi. I know moment a ago you said you're not an expert on 193:40 in Exhibit 1. Is there anyone at the Human Rights Commission that would be an expert in RSA 193:40 and what it means and how it	2 3 4 5 6 7	Q	(Lunch recess taken 1:51 - 2:32 p.m.)  So we're back on. I'm just going to have your attorney put before you what's been previously marked as Exhibits 12 and 13. I'd just ask you to review Exhibits 12 and 13 briefly and just to let me know when you finish.  Thank you, Director Malachi. With respect
2 3 4 5 6 7 8	Q	provisions of RSA 354-A:31 in Exhibit 1?  No.  I'm sorry to bounce around, Director Malachi. I know moment a ago you said you're not an expert on 193:40 in Exhibit 1. Is there anyone at the Human Rights Commission that would be an expert in RSA 193:40 and what it means and how it operates?	2 3 4 5 6 7 8	Q	(Lunch recess taken 1:51 - 2:32 p.m.)  So we're back on. I'm just going to have your attorney put before you what's been previously marked as Exhibits 12 and 13. I'd just ask you to review Exhibits 12 and 13 briefly and just to let me know when you finish.  Thank you, Director Malachi. With respect to Exhibit 12, I would just represent to you
2 3 4 5 6 7 8	Q A	provisions of RSA 354-A:31 in Exhibit 1?  No.  I'm sorry to bounce around, Director Malachi. I know moment a ago you said you're not an expert on 193:40 in Exhibit 1. Is there anyone at the Human Rights Commission that would be an expert in RSA 193:40 and what it means and how it operates?  No.	2 3 4 5 6 7 8 9	Q	(Lunch recess taken 1:51 - 2:32 p.m.)  So we're back on. I'm just going to have your attorney put before you what's been previously marked as Exhibits 12 and 13. I'd just ask you to review Exhibits 12 and 13 briefly and just to let me know when you finish.  Thank you, Director Malachi. With respect to Exhibit 12, I would just represent to you that the cover page to Exhibit 12 is a document
2 3 4 5 6 7 8 9	Q A	provisions of RSA 354-A:31 in Exhibit 1?  No.  I'm sorry to bounce around, Director Malachi. I know moment a ago you said you're not an expert on 193:40 in Exhibit 1. Is there anyone at the Human Rights Commission that would be an expert in RSA 193:40 and what it means and how it operates?  No.  With respect to how an allegation of	2 3 4 5 6 7 8 9	Q	(Lunch recess taken 1:51 - 2:32 p.m.)  So we're back on. I'm just going to have your attorney put before you what's been previously marked as Exhibits 12 and 13. I'd just ask you to review Exhibits 12 and 13 briefly and just to let me know when you finish.  Thank you, Director Malachi. With respect to Exhibit 12, I would just represent to you that the cover page to Exhibit 12 is a document I created just as a cover sheet to the September
2 3 4 5 6 7 8 9 10	Q A	provisions of RSA 354-A:31 in Exhibit 1?  No.  I'm sorry to bounce around, Director Malachi. I know moment a ago you said you're not an expert on 193:40 in Exhibit 1. Is there anyone at the Human Rights Commission that would be an expert in RSA 193:40 and what it means and how it operates?  No.  With respect to how an allegation of discrimination is docketed, and the prima facie	2 3 4 5 6 7 8 9 10	Q	(Lunch recess taken 1:51 - 2:32 p.m.)  So we're back on. I'm just going to have your attorney put before you what's been previously marked as Exhibits 12 and 13. I'd just ask you to review Exhibits 12 and 13 briefly and just to let me know when you finish.  Thank you, Director Malachi. With respect to Exhibit 12, I would just represent to you that the cover page to Exhibit 12 is a document I created just as a cover sheet to the September 7, 2021, AG memo that was affixed to the Mejia
2 3 4 5 6 7 8 9 10 11 12	Q A	provisions of RSA 354-A:31 in Exhibit 1?  No.  I'm sorry to bounce around, Director Malachi. I know moment a ago you said you're not an expert on 193:40 in Exhibit 1. Is there anyone at the Human Rights Commission that would be an expert in RSA 193:40 and what it means and how it operates?  No.  With respect to how an allegation of discrimination is docketed, and the prima facie determination that's made, are there any	2 3 4 5 6 7 8 9 10 11 12	Q	(Lunch recess taken 1:51 - 2:32 p.m.)  So we're back on. I'm just going to have your attorney put before you what's been previously marked as Exhibits 12 and 13. I'd just ask you to review Exhibits 12 and 13 briefly and just to let me know when you finish.  Thank you, Director Malachi. With respect to Exhibit 12, I would just represent to you that the cover page to Exhibit 12 is a document I created just as a cover sheet to the September 7, 2021, AG memo that was affixed to the Mejia and Philibotte complaint in this case. So I
2 3 4 5 6 7 8 9 10 11 12 13	Q A	Provisions of RSA 354-A:31 in Exhibit 1?  No.  I'm sorry to bounce around, Director Malachi. I know moment a ago you said you're not an expert on 193:40 in Exhibit 1. Is there anyone at the Human Rights Commission that would be an expert in RSA 193:40 and what it means and how it operates?  No.  With respect to how an allegation of discrimination is docketed, and the prima facie determination that's made, are there any internal policies or procedures within the	2 3 4 5 6 7 8 9 10 11 12 13	Q	(Lunch recess taken 1:51 - 2:32 p.m.)  So we're back on. I'm just going to have your attorney put before you what's been previously marked as Exhibits 12 and 13. I'd just ask you to review Exhibits 12 and 13 briefly and just to let me know when you finish.  Thank you, Director Malachi. With respect to Exhibit 12, I would just represent to you that the cover page to Exhibit 12 is a document I created just as a cover sheet to the September 7, 2021, AG memo that was affixed to the Mejia and Philibotte complaint in this case. So I just wanted to flag that for you.
2 3 4 5 6 7 8 9 10 11 12 13 14	Q A	provisions of RSA 354-A:31 in Exhibit 1?  No.  I'm sorry to bounce around, Director Malachi. I know moment a ago you said you're not an expert on 193:40 in Exhibit 1. Is there anyone at the Human Rights Commission that would be an expert in RSA 193:40 and what it means and how it operates?  No.  With respect to how an allegation of discrimination is docketed, and the prima facie determination that's made, are there any internal policies or procedures within the Commission as to when a prima facie case has	2 3 4 5 6 7 8 9 10 11 12 13 14	Q	(Lunch recess taken 1:51 - 2:32 p.m.)  So we're back on. I'm just going to have your attorney put before you what's been previously marked as Exhibits 12 and 13. I'd just ask you to review Exhibits 12 and 13 briefly and just to let me know when you finish.  Thank you, Director Malachi. With respect to Exhibit 12, I would just represent to you that the cover page to Exhibit 12 is a document I created just as a cover sheet to the September 7, 2021, AG memo that was affixed to the Mejia and Philibotte complaint in this case. So I just wanted to flag that for you.  But with respect to PL 425 to 433 on
2 3 4 5 6 7 8 9 10 11 12 13 14 15	Q A Q	provisions of RSA 354-A:31 in Exhibit 1?  No.  I'm sorry to bounce around, Director Malachi. I know moment a ago you said you're not an expert on 193:40 in Exhibit 1. Is there anyone at the Human Rights Commission that would be an expert in RSA 193:40 and what it means and how it operates?  No.  With respect to how an allegation of discrimination is docketed, and the prima facie determination that's made, are there any internal policies or procedures within the Commission as to when a prima facie case has been made under RSA 354-A:29-34?	2 3 4 5 6 7 8 9 10 11 12 13 14 15		(Lunch recess taken 1:51 - 2:32 p.m.)  So we're back on. I'm just going to have your attorney put before you what's been previously marked as Exhibits 12 and 13. I'd just ask you to review Exhibits 12 and 13 briefly and just to let me know when you finish.  Thank you, Director Malachi. With respect to Exhibit 12, I would just represent to you that the cover page to Exhibit 12 is a document I created just as a cover sheet to the September 7, 2021, AG memo that was affixed to the Mejia and Philibotte complaint in this case. So I just wanted to flag that for you.  But with respect to PL 425 to 433 on Exhibit 12, have you seen this document before?
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q A Q A	provisions of RSA 354-A:31 in Exhibit 1?  No.  I'm sorry to bounce around, Director Malachi. I know moment a ago you said you're not an expert on 193:40 in Exhibit 1. Is there anyone at the Human Rights Commission that would be an expert in RSA 193:40 and what it means and how it operates?  No.  With respect to how an allegation of discrimination is docketed, and the prima facie determination that's made, are there any internal policies or procedures within the Commission as to when a prima facie case has been made under RSA 354-A:29-34?  Specifically speaking, no.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Q	(Lunch recess taken 1:51 - 2:32 p.m.)  So we're back on. I'm just going to have your attorney put before you what's been previously marked as Exhibits 12 and 13. I'd just ask you to review Exhibits 12 and 13 briefly and just to let me know when you finish.  Thank you, Director Malachi. With respect to Exhibit 12, I would just represent to you that the cover page to Exhibit 12 is a document I created just as a cover sheet to the September 7, 2021, AG memo that was affixed to the Mejia and Philibotte complaint in this case. So I just wanted to flag that for you.  But with respect to PL 425 to 433 on Exhibit 12, have you seen this document before?  To the extent that this is the Attorney
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	Q A Q	Provisions of RSA 354-A:31 in Exhibit 1?  No.  I'm sorry to bounce around, Director Malachi. I know moment a ago you said you're not an expert on 193:40 in Exhibit 1. Is there anyone at the Human Rights Commission that would be an expert in RSA 193:40 and what it means and how it operates?  No.  With respect to how an allegation of discrimination is docketed, and the prima facie determination that's made, are there any internal policies or procedures within the Commission as to when a prima facie case has been made under RSA 354-A:29-34?  Specifically speaking, no.  Do you know sitting here today how decisions are	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17		(Lunch recess taken 1:51 - 2:32 p.m.)  So we're back on. I'm just going to have your attorney put before you what's been previously marked as Exhibits 12 and 13. I'd just ask you to review Exhibits 12 and 13 briefly and just to let me know when you finish.  Thank you, Director Malachi. With respect to Exhibit 12, I would just represent to you that the cover page to Exhibit 12 is a document I created just as a cover sheet to the September 7, 2021, AG memo that was affixed to the Mejia and Philibotte complaint in this case. So I just wanted to flag that for you.  But with respect to PL 425 to 433 on Exhibit 12, have you seen this document before?  To the extent that this is the Attorney General's opinion, without comparing it to the
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Q A Q A	No. I'm sorry to bounce around, Director Malachi. I know moment a ago you said you're not an expert on 193:40 in Exhibit 1. Is there anyone at the Human Rights Commission that would be an expert in RSA 193:40 and what it means and how it operates?  No. With respect to how an allegation of discrimination is docketed, and the prima facie determination that's made, are there any internal policies or procedures within the Commission as to when a prima facie case has been made under RSA 354-A:29-34?  Specifically speaking, no. Do you know sitting here today how decisions are made as to whether a prima facie case has been	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18		(Lunch recess taken 1:51 - 2:32 p.m.)  So we're back on. I'm just going to have your attorney put before you what's been previously marked as Exhibits 12 and 13. I'd just ask you to review Exhibits 12 and 13 briefly and just to let me know when you finish.  Thank you, Director Malachi. With respect to Exhibit 12, I would just represent to you that the cover page to Exhibit 12 is a document I created just as a cover sheet to the September 7, 2021, AG memo that was affixed to the Mejia and Philibotte complaint in this case. So I just wanted to flag that for you.  But with respect to PL 425 to 433 on Exhibit 12, have you seen this document before?  To the extent that this is the Attorney General's opinion, without comparing it to the actual copy that I have, I can't state that this
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q A Q A	Provisions of RSA 354-A:31 in Exhibit 1?  No.  I'm sorry to bounce around, Director Malachi. I know moment a ago you said you're not an expert on 193:40 in Exhibit 1. Is there anyone at the Human Rights Commission that would be an expert in RSA 193:40 and what it means and how it operates?  No.  With respect to how an allegation of discrimination is docketed, and the prima facie determination that's made, are there any internal policies or procedures within the Commission as to when a prima facie case has been made under RSA 354-A:29-34?  Specifically speaking, no.  Do you know sitting here today how decisions are made as to whether a prima facie case has been satisfied under the provisions in RSA	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19		(Lunch recess taken 1:51 - 2:32 p.m.)  So we're back on. I'm just going to have your attorney put before you what's been previously marked as Exhibits 12 and 13. I'd just ask you to review Exhibits 12 and 13 briefly and just to let me know when you finish.  Thank you, Director Malachi. With respect to Exhibit 12, I would just represent to you that the cover page to Exhibit 12 is a document I created just as a cover sheet to the September 7, 2021, AG memo that was affixed to the Mejia and Philibotte complaint in this case. So I just wanted to flag that for you.  But with respect to PL 425 to 433 on Exhibit 12, have you seen this document before?  To the extent that this is the Attorney General's opinion, without comparing it to the actual copy that I have, I can't state that this is exactly it. However, if this is the Attorney
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q A Q A Q	Provisions of RSA 354-A:31 in Exhibit 1?  No.  I'm sorry to bounce around, Director Malachi. I know moment a ago you said you're not an expert on 193:40 in Exhibit 1. Is there anyone at the Human Rights Commission that would be an expert in RSA 193:40 and what it means and how it operates?  No.  With respect to how an allegation of discrimination is docketed, and the prima facie determination that's made, are there any internal policies or procedures within the Commission as to when a prima facie case has been made under RSA 354-A:29-34?  Specifically speaking, no.  Do you know sitting here today how decisions are made as to whether a prima facie case has been satisfied under the provisions in RSA 354-A:29-34?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Α	(Lunch recess taken 1:51 - 2:32 p.m.)  So we're back on. I'm just going to have your attorney put before you what's been previously marked as Exhibits 12 and 13. I'd just ask you to review Exhibits 12 and 13 briefly and just to let me know when you finish.  Thank you, Director Malachi. With respect to Exhibit 12, I would just represent to you that the cover page to Exhibit 12 is a document I created just as a cover sheet to the September 7, 2021, AG memo that was affixed to the Mejia and Philibotte complaint in this case. So I just wanted to flag that for you.  But with respect to PL 425 to 433 on Exhibit 12, have you seen this document before?  To the extent that this is the Attorney General's opinion, without comparing it to the actual copy that I have, I can't state that this is exactly it. However, if this is the Attorney General's opinion, then I've seen his opinion.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A Q	No. I'm sorry to bounce around, Director Malachi. I know moment a ago you said you're not an expert on 193:40 in Exhibit 1. Is there anyone at the Human Rights Commission that would be an expert in RSA 193:40 and what it means and how it operates?  No.  With respect to how an allegation of discrimination is docketed, and the prima facie determination that's made, are there any internal policies or procedures within the Commission as to when a prima facie case has been made under RSA 354-A:29-34?  Specifically speaking, no.  Do you know sitting here today how decisions are made as to whether a prima facie case has been satisfied under the provisions in RSA 354-A:29-34?  Generally speaking, there's a legal standard and	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21		(Lunch recess taken 1:51 - 2:32 p.m.)  So we're back on. I'm just going to have your attorney put before you what's been previously marked as Exhibits 12 and 13. I'd just ask you to review Exhibits 12 and 13 briefly and just to let me know when you finish.  Thank you, Director Malachi. With respect to Exhibit 12, I would just represent to you that the cover page to Exhibit 12 is a document I created just as a cover sheet to the September 7, 2021, AG memo that was affixed to the Mejia and Philibotte complaint in this case. So I just wanted to flag that for you.  But with respect to PL 425 to 433 on Exhibit 12, have you seen this document before?  To the extent that this is the Attorney General's opinion, without comparing it to the actual copy that I have, I can't state that this is exactly it. However, if this is the Attorney General's opinion, then I've seen his opinion.  Okay. Any reason though to believe sitting here
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Q A Q A Q	Provisions of RSA 354-A:31 in Exhibit 1?  No.  I'm sorry to bounce around, Director Malachi. I know moment a ago you said you're not an expert on 193:40 in Exhibit 1. Is there anyone at the Human Rights Commission that would be an expert in RSA 193:40 and what it means and how it operates?  No.  With respect to how an allegation of discrimination is docketed, and the prima facie determination that's made, are there any internal policies or procedures within the Commission as to when a prima facie case has been made under RSA 354-A:29-34?  Specifically speaking, no.  Do you know sitting here today how decisions are made as to whether a prima facie case has been satisfied under the provisions in RSA 354-A:29-34?  Generally speaking, there's a legal standard and so when that legal standard is met, then the	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	Α	(Lunch recess taken 1:51 - 2:32 p.m.)  So we're back on. I'm just going to have your attorney put before you what's been previously marked as Exhibits 12 and 13. I'd just ask you to review Exhibits 12 and 13 briefly and just to let me know when you finish.  Thank you, Director Malachi. With respect to Exhibit 12, I would just represent to you that the cover page to Exhibit 12 is a document I created just as a cover sheet to the September 7, 2021, AG memo that was affixed to the Mejia and Philibotte complaint in this case. So I just wanted to flag that for you.  But with respect to PL 425 to 433 on Exhibit 12, have you seen this document before?  To the extent that this is the Attorney General's opinion, without comparing it to the actual copy that I have, I can't state that this is exactly it. However, if this is the Attorney General's opinion, then I've seen his opinion.  Okay. Any reason though to believe sitting here today that this document that I've put before
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q A Q A Q	No. I'm sorry to bounce around, Director Malachi. I know moment a ago you said you're not an expert on 193:40 in Exhibit 1. Is there anyone at the Human Rights Commission that would be an expert in RSA 193:40 and what it means and how it operates?  No.  With respect to how an allegation of discrimination is docketed, and the prima facie determination that's made, are there any internal policies or procedures within the Commission as to when a prima facie case has been made under RSA 354-A:29-34?  Specifically speaking, no.  Do you know sitting here today how decisions are made as to whether a prima facie case has been satisfied under the provisions in RSA 354-A:29-34?  Generally speaking, there's a legal standard and	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Α	(Lunch recess taken 1:51 - 2:32 p.m.)  So we're back on. I'm just going to have your attorney put before you what's been previously marked as Exhibits 12 and 13. I'd just ask you to review Exhibits 12 and 13 briefly and just to let me know when you finish.  Thank you, Director Malachi. With respect to Exhibit 12, I would just represent to you that the cover page to Exhibit 12 is a document I created just as a cover sheet to the September 7, 2021, AG memo that was affixed to the Mejia and Philibotte complaint in this case. So I just wanted to flag that for you.  But with respect to PL 425 to 433 on Exhibit 12, have you seen this document before?  To the extent that this is the Attorney General's opinion, without comparing it to the actual copy that I have, I can't state that this is exactly it. However, if this is the Attorney General's opinion, then I've seen his opinion.  Okay. Any reason though to believe sitting here

1	ı	General's opinion from September 7, 2021?	1	Δ	As I sit here today I don't have a specific
	ı 2 A	·	2	^	reason to think this isn't it. However, I'm not
3		looking at this copy. So without comparing,	3		a hundred percent sure, but I don't have a
2		then I would say I can't be a hundred percent	4		specific objection or question or issue.
				Q	
5		sure. However, if you're stating that it's the	6	Q	Thank you. I appreciate that. My question is
6		Attorney General's opinion that I have a copy	7		without getting into strike that.
7		of, then it's probably that.			Does this memo govern how the Human Rights
8		, , , ,	8		Commission enforces RSA 354-A:29 to 34?
9			9		MR. KENISON-MARVIN: Objection. Vague.
	0 0	•	10		Legal contention. You can answer.
	1 A	9	11		When you say "govern," could you be more clear?
		3 2 2 2 3 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	12	Q	Maybe I'll just ask the question more generally.
1	3	the copy in your office, do you have any reason	13		Does Exhibit 12 have any impact on how the
1	4	to believe having reviewed Exhibit 12 that this	14		Human Rights Commission enforces RSA 354-A:29 to
1	5	would not be the version of the Attorney General	15		34?
1	6	memo that you have in your office?	16		MR. KENISON-MARVIN: Same objection. You
1	7 A	A Specifically to answer your question, I don't	17		can answer.
1	8	have it memorized so I couldn't say that this is	18	Α	I'm not still a hundred percent certain that I
1	9	the exact copy.	19		understand your question. However, all of 354-A
2	0 0	Q I just want to close the loop without having to	20		is governed by the statute as it's written as
2	1	send you on a fishing expedition so I do need an	21		well as the legal standard.
2	2	answer to this.	22	Q	So direct your attention to the first page of
2	3	Do you have any reason to believe after	23		Exhibit 12 Bates stamped PL 00425. This is
1		having reviewed the pages affixed to Exhibit 12	1		directed to Chairman Palardy and to you,
2		that this is not the version of the September	2		Director Malachi, and the first sentence states,
3		7th, 2021, version that's in your office?	3		"You requested, on behalf of the New Hampshire
		-	4		Commission for Human Rights, that this office
5			5		provide an official Attorney General opinion
1		•	6		concerning the scope and application of the
7		then I guess I have to trust you.	7		recently passed sections 297 and 298 of House
'		-	8		Bill 2." Do you see that language?
				۸	
1		testimony I'm going to have to ask her to go get	9	A	I do.
1		a copy. Sorry.		Q	
1		MR. KENISON-MARVIN: She said maybe, I	11		General opinion concerning the scope and
1		think.	12		application of Sections 297 and 298 of House
1		_	13		Bill 2?
1		(Discussion off the record)	14	Α	I'm not sure that that, your question, I think
1		(Director Malachi and Atty. Kenison-Martin	15		it may speak to privilege.
1		leave the conference room and return	16	Q	
1		2:39 - 2:46 p.m.)	17		I'm just referencing confirmation as to what's
1	8 C	Q Director Malachi, without having seen the	18		in a public document.
1	9	version of Exhibit 12 that resides in the	19		MR. KENISON-MARVIN: Object to maybe
2	0	offices of the Commission, do you have any	20		compound question. Just clarify now what the
2	1	reason to believe that the document following	21		question is on the table?
10			22	Q	
2	2	Exhibit 12 is not an accurate depiction of the	22	Q	Sure. I just want to confirm whether it is
2		-	23	Q	accurate that the Commission for Human Rights

					050
		85			87
1		requested that the Attorney General's office		Q	Yes. Excluding the contents of any
2		provide an official Attorney General opinion	2		communications that the Commission may have had
3		concerning the scope and application of the	3		with its lawyers at the Department of Justice,
4		recently passed Sections 297 and 298?	4		could you explain why the Commission sought the
5		MR. KENISON-MARVIN: I'll object on	5		opinion?
6		attorney-client privilege to the extent the	6		MR. KENISON-MARVIN: Objection to the
7		question relates to not what's stated in the	7		extent it misstates the witness's answer to the
8		document but with respect to specific requests	8		prior question.
9		or communications made to the Attorney General	9	Q	Can I withdraw the question? I'd just like to
10		by the HRC.	10		hear back exactly what the witness said. Thank
11		MR. BISSONNETTE: And I am not, just to be	11		you.
12		very clear because I understand the objection, I	12		(Requested portion read back by court reporter)
13		am not asking for communications beyond seeking	13	Q	Excluding any communications that the Commission
14		confirmation that there was a request from the	14		had with its lawyers at the New Hampshire
15		Human Rights Commission to the Attorney	15		Department of Justice, can you explain why the
16		General's office along the lines of the first	16		Commission requested an opinion?
17		sentence on page 425 of Exhibit 12.	17	Δ	I'm unclear if that's privileged communication.
18		MR. KENISON-MARVIN: Mind if we step out	18	/٦	MR. KENISON-MARVIN: The question doesn't
19			19		include any information that was discussed with
20		for just a second?	20		
		(Director Malachi and Atty. Kenison-Marvin			attorneys. I believe I understand it to be
21		leave the conference room and return	21		attorneys at DOJ, but to the extent there was
22	_	2:50 - 3:42 p.m.)	22		counsel not only with DOJ attorneys but any
23	Q	So Director Malachi, I'm just going to obviously	23		attorney representing HRC that was a privileged
		86			88
1		reference the first sentence on Exhibit 12	1		communication seeking advice to do something or
2		beginning with the statement you requested on	2		whether or not to do something, that would be
3		behalf of the New Hampshire Commission for Human	3		privileged, but I understand the question not to
4		Rights that this office provide an official	4		ask for that information about content of
5		Attorney General opinion concerning the scope	5		communications with attorneys that were
6		and application of the recently passed Sections	6		representing the HRC; is that correct?
7		297 and 298 of House Bill 2. Do you see that	7		MR. BISSONNETTE: That is. Yes.
8		language in Exhibit 12?	8	Α	With that clear, could you, I'm sorry, could you
9	Α	Yes.	9		ask the question one more time so I could
10	Q	So my question is did the Commission for Human	10		answer?
11		Rights request that the Attorney General's	11	Q	Understood. Just going to have it read back.
1		office provide an official opinion concerning	12		Thank you, Cindy.
12		the scope and application of Section 297 and 298	13		(Requested portion read back by court reporter)
12 13				Α	The Commission was aware of concern from the
		of House Bill 2?	14		
13	Α				
13 14 15	Α	As it relates specifically to me, did I go to	15		public about Sections 297 and 298 and requested
13 14 15 16	Α	As it relates specifically to me, did I go to the AG and request an opinion, no. However, I	15 16		public about Sections 297 and 298 and requested the opinion.
13 14 15 16 17	Α	As it relates specifically to me, did I go to the AG and request an opinion, no. However, I think it would be fair to say that the	15 16 17	Q	public about Sections 297 and 298 and requested the opinion.  Okay. And do you recall the specific concerns
13 14 15 16 17 18		As it relates specifically to me, did I go to the AG and request an opinion, no. However, I think it would be fair to say that the Commission requested an opinion.	15 16 17 18	Q	public about Sections 297 and 298 and requested the opinion.  Okay. And do you recall the specific concerns from the public that were raised?
13 14 15 16 17 18 19	A Q	As it relates specifically to me, did I go to the AG and request an opinion, no. However, I think it would be fair to say that the Commission requested an opinion.  Okay. Excluding any communications that the	15 16 17 18 19		public about Sections 297 and 298 and requested the opinion.  Okay. And do you recall the specific concerns from the public that were raised?  No. I don't remember. I don't recall the
13 14 15 16 17 18 19 20		As it relates specifically to me, did I go to the AG and request an opinion, no. However, I think it would be fair to say that the Commission requested an opinion.  Okay. Excluding any communications that the Commission may have had with its lawyers at the	15 16 17 18 19 20	Q A	public about Sections 297 and 298 and requested the opinion.  Okay. And do you recall the specific concerns from the public that were raised?  No. I don't remember. I don't recall the specifics.
13 14 15 16 17 18 19 20 21		As it relates specifically to me, did I go to the AG and request an opinion, no. However, I think it would be fair to say that the Commission requested an opinion.  Okay. Excluding any communications that the Commission may have had with its lawyers at the Department of Justice, can you explain to me why	15 16 17 18 19 20 21	Q A	public about Sections 297 and 298 and requested the opinion.  Okay. And do you recall the specific concerns from the public that were raised?  No. I don't remember. I don't recall the specifics.  Okay. Were those specific concerns that you're
13 14 15 16 17 18 19 20	Q	As it relates specifically to me, did I go to the AG and request an opinion, no. However, I think it would be fair to say that the Commission requested an opinion.  Okay. Excluding any communications that the Commission may have had with its lawyers at the	15 16 17 18 19 20	Q A	public about Sections 297 and 298 and requested the opinion.  Okay. And do you recall the specific concerns from the public that were raised?  No. I don't remember. I don't recall the specifics.

1	Α	89 I couldn't speak to my recollection of the	1	Q	91 You can set those aside.
2	,,	conversation. It would be reflected in whatever	2	Q.	I did have another question on Exhibit 12.
3		the opinion was.	3		My apologies. How does this memo impact if at
4	Q	Is that reflected, just to be clear, I'm not	4		all how the Commission enforces RSA 354-A:29 to
5	Q	getting into communications with lawyers here,	5		34?
6		but are those concerns reflected on the first	6		MR. KENISON-MARVIN: Objection. Compound
7		sentence of the second paragraph on page 1 in	7		and foundation.
8		which the memo states, "Some have voiced	8	Q	I'm going to withdraw. I'm not going to use the
9		concerns that these new statutes are confusing	9	Q	term "impact." I'm trying to figure out if this
10		and that public employers in schools will	10		is a memo you use in enforcing RSA 354-A:29-34
11		struggle to understand the scope of the new	11		so I'm just going to ask the question that way.
12		prohibitions"?	12		Does Exhibit 12 guide how the Commission
	Α	That could be.	13		for Human Rights enforces RSA 354-A:29 to 34?
	Q	Sitting here today, can you recall anything more		Α	_
					asking me specifically this document? Or does
15		specific about the concerns that are referenced	15		
16		in Exhibit 12 and that were a reason for why the	16 17		an AG opinion affect how the Commission does its work?
17	۸	Commission requested an opinion?			
19	A Q	Sitting here today, no. I'm just going to refer you to you to Exhibit	18 19		No, good question. I'm simply referring to Exhibit 12 and whether it guides how the
	Q		20		
20		13, Director Malachi, that's been placed in	21		Commission applies specifically RSA 354-A:29 to 34?
		front of you. I would just submit to you this		Α	
22		is a document produced not by the HRC but by the	23		, ,
23		Department of Education. That seems to suggest	23		information from the Attorney General of the
		90			92
1		an accepted meeting, I'm not sure by whom,	1		State of New Hampshire, then yes. However, it
2		concerning Review and Discuss Procedure/Process	2		doesn't change our process.
3		for Incidences of Anti-Discrimination in which	3	Q	Okay. I guess my question is how do you use
4		there potentially were as attendees you and	4		this document? How does the Commission use
5		Commissioner Edelblut.	5		Exhibit 12?
6		Have I accurately described at least what	6	Α	If you're asking do we use it in our day-to-day
7		Exhibit 13 reflects?	7		work, is that what you're asking?
8	Α	I don't have a recollection of this.	8	Q	How does the Commission use Exhibit 12 with
9	Q	Do you recall a meeting with Commissioner	9		respect to its duties in enforcing RSA 354-A:29
10		Edelblut on or about September 8, 2021?	10		to 34?
	Α	I don't recall a specific meeting.	11		MR. KENISON-MARVIN: Objection.
	Q	Okay. Does the fact that this September 8 date	12		Foundation.
13		on Exhibit 13, does the fact that that's one day		Α	·
14		after the September 7, 2021, AG memo in Exhibit	14		<i>y, y</i>
15		12 refresh your recollection at all about	15		(Requested portion read back by court reporter)
16		whether a meeting occurred and what may have	16		'
17		been discussed?	17		, , ,
	Α	No.	18		applies RSA 354-A:29 to 34?
19	Q	Sitting here today, you have no recollection,		Α	Are you asking additionally? Outside of the
20		just to be clear, you have no recollection of	20		statute?
21		any meeting with Commissioner Edelblut on or	21	Q	, , , ,
22		about September 8, 2021, correct?	22		memo is used by your office. So we've
23	Α	No.	23		established, correct, that the Commission
1			1		

		93			95
1		requested an AG memo, right?	1		the language again that Plaintiffs' counsel has
2	Α	Yes.	2		highlighted in this document. Director Malachi
3	Q	We've established that the Commission received	3		explained strike that.
4		an AG memo, right?	4		I want to direct your attention to the
5	Α	That would be fair.	5		language that's been highlighted by Plaintiffs'
6	Q	So my question is having requested it and	6		counsel, "Assistant Director Burke Cohen and
7		received it, does Exhibit 12 guide in any way	7		Director Malachi explained that the likely
8		the Commission's application of RSA 354-A:29 to	8		inspiration was that there have been instances
9		34?	9		in which information has been presented in
10		MR. KENISON-MARVIN: Objection.	10		trainings and K - 12 classrooms that states
11		Foundation.	11		directly and/or impliedly that inherent traits
12	А	Insomuch as the document was requested by the	12		establish a person's inferiority/superiority."
13	, ,	Commission, it was requested for the public.	13		Do you see that language?
14	Q	Okay. So this wasn't requested with the intent	14	Δ	Yes.
15	Q	to assist the Commission in enforcing the	15	Q	
16		statute? Do I understand your testimony	16	Q	during the October 7, 2021, meeting of the Human
17		correctly?	17		Rights Commissioners?
	Α	Correct.	18	Α	I don't have a recollection.
19	Q	Has the Commission since the issuance of the	19	Q	
	Q		20	Q	Okay. Any reason to think that that isn't an accurate reflection of what was said at the
20		September 7, 2021, opinion used this opinion in	21		
21		interpreting the provisions of RSA 354-A:29 to		۸	meeting?
22	۸	34?	22		No.
23	A	Could you clarify relative to what?	23	Q	Sitting here today, do you continue to believe
		94			96
	Q	Relative to any allegation of discrimination	1		that the likely inspiration for HB 2 was that
2	Q	that has been received by the Commission under	1 2		there been instances in which information has
	Q	that has been received by the Commission under the challenged law in this case.			there been instances in which information has been presented in trainings in K through 12
2	Q A	that has been received by the Commission under the challenged law in this case. No.	2		there been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly
2		that has been received by the Commission under the challenged law in this case.	2		there been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's
2 3 4 5 6	Α	that has been received by the Commission under the challenged law in this case.  No.  I'm going to set that aside. I'm going to have one more exhibit.	2 3 4 5 6		there been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's inferiority or superiority?
2 3 4 5	Α	that has been received by the Commission under the challenged law in this case. No. I'm going to set that aside. I'm going to have	2 3 4 5	A	there been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's
2 3 4 5 6 7	Α	that has been received by the Commission under the challenged law in this case.  No.  I'm going to set that aside. I'm going to have one more exhibit.	2 3 4 5 6	Α	there been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's inferiority or superiority?
2 3 4 5 6 7	A Q	that has been received by the Commission under the challenged law in this case. No. I'm going to set that aside. I'm going to have one more exhibit. (Exhibit 56 marked for identification)	2 3 4 5 6 7	A Q	there been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's inferiority or superiority? I'm sorry. Ask the first part of the question
2 3 4 5 6 7 8	A Q	that has been received by the Commission under the challenged law in this case.  No. I'm going to set that aside. I'm going to have one more exhibit.  (Exhibit 56 marked for identification)  So Director Malachi, just as you read this, I'm	2 3 4 5 6 7 8		there been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's inferiority or superiority?  I'm sorry. Ask the first part of the question again?
2 3 4 5 6 7 8 9	A Q	that has been received by the Commission under the challenged law in this case.  No. I'm going to set that aside. I'm going to have one more exhibit.  (Exhibit 56 marked for identification)  So Director Malachi, just as you read this, I'm only going to have you look at one particular	2 3 4 5 6 7 8 9		there been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's inferiority or superiority?  I'm sorry. Ask the first part of the question again?  Sure. I know that you have no reason to believe
2 3 4 5 6 7 8 9	A Q	that has been received by the Commission under the challenged law in this case.  No.  I'm going to set that aside. I'm going to have one more exhibit.  (Exhibit 56 marked for identification)  So Director Malachi, just as you read this, I'm only going to have you look at one particular paragraph, and that's the paragraph on the	2 3 4 5 6 7 8 9		there been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's inferiority or superiority?  I'm sorry. Ask the first part of the question again?  Sure. I know that you have no reason to believe this was an inaccurate reflection of what you
2 3 4 5 6 7 8 9 10	A Q	that has been received by the Commission under the challenged law in this case.  No. I'm going to set that aside. I'm going to have one more exhibit.  (Exhibit 56 marked for identification)  So Director Malachi, just as you read this, I'm only going to have you look at one particular paragraph, and that's the paragraph on the bottom of page 2 of Exhibit 56 that's Bates	2 3 4 5 6 7 8 9 10		there been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's inferiority or superiority?  I'm sorry. Ask the first part of the question again?  Sure. I know that you have no reason to believe this was an inaccurate reflection of what you said at the meeting. My question to you is that
2 3 4 5 6 7 8 9 10 11 12	A Q	that has been received by the Commission under the challenged law in this case.  No.  I'm going to set that aside. I'm going to have one more exhibit.  (Exhibit 56 marked for identification)  So Director Malachi, just as you read this, I'm only going to have you look at one particular paragraph, and that's the paragraph on the bottom of page 2 of Exhibit 56 that's Bates stamped HRC 00392, and that has been	2 3 4 5 6 7 8 9 10 11 12		there been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's inferiority or superiority?  I'm sorry. Ask the first part of the question again?  Sure. I know that you have no reason to believe this was an inaccurate reflection of what you said at the meeting. My question to you is that is this still your present understanding that
2 3 4 5 6 7 8 9 10 11 12 13	A Q	that has been received by the Commission under the challenged law in this case.  No.  I'm going to set that aside. I'm going to have one more exhibit.  (Exhibit 56 marked for identification)  So Director Malachi, just as you read this, I'm only going to have you look at one particular paragraph, and that's the paragraph on the bottom of page 2 of Exhibit 56 that's Bates stamped HRC 00392, and that has been highlighted, and I will submit that that	2 3 4 5 6 7 8 9 10 11 12 13		there been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's inferiority or superiority?  I'm sorry. Ask the first part of the question again?  Sure. I know that you have no reason to believe this was an inaccurate reflection of what you said at the meeting. My question to you is that is this still your present understanding that the likely inspiration by the supporters of the
2 3 4 5 6 7 8 9 10 11 12 13	A Q	that has been received by the Commission under the challenged law in this case.  No. I'm going to set that aside. I'm going to have one more exhibit.  (Exhibit 56 marked for identification) So Director Malachi, just as you read this, I'm only going to have you look at one particular paragraph, and that's the paragraph on the bottom of page 2 of Exhibit 56 that's Bates stamped HRC 00392, and that has been highlighted, and I will submit that that highlighting has been done by Plaintiffs'	2 3 4 5 6 7 8 9 10 11 12 13 14		there been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's inferiority or superiority?  I'm sorry. Ask the first part of the question again?  Sure. I know that you have no reason to believe this was an inaccurate reflection of what you said at the meeting. My question to you is that is this still your present understanding that the likely inspiration by the supporters of the challenged law, quote, "was that there have been
2 3 4 5 6 7 8 9 10 11 12 13 14 15	A Q	that has been received by the Commission under the challenged law in this case.  No.  I'm going to set that aside. I'm going to have one more exhibit.  (Exhibit 56 marked for identification)  So Director Malachi, just as you read this, I'm only going to have you look at one particular paragraph, and that's the paragraph on the bottom of page 2 of Exhibit 56 that's Bates stamped HRC 00392, and that has been highlighted, and I will submit that that highlighting has been done by Plaintiffs' counsel in this case.	2 3 4 5 6 7 8 9 10 11 12 13 14 15		there been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's inferiority or superiority?  I'm sorry. Ask the first part of the question again?  Sure. I know that you have no reason to believe this was an inaccurate reflection of what you said at the meeting. My question to you is that is this still your present understanding that the likely inspiration by the supporters of the challenged law, quote, "was that there have been instances in which information has been
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A Q	that has been received by the Commission under the challenged law in this case.  No.  I'm going to set that aside. I'm going to have one more exhibit.  (Exhibit 56 marked for identification)  So Director Malachi, just as you read this, I'm only going to have you look at one particular paragraph, and that's the paragraph on the bottom of page 2 of Exhibit 56 that's Bates stamped HRC 00392, and that has been highlighted, and I will submit that that highlighting has been done by Plaintiffs' counsel in this case.  So I think just to kind of streamline this	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16		there been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's inferiority or superiority?  I'm sorry. Ask the first part of the question again?  Sure. I know that you have no reason to believe this was an inaccurate reflection of what you said at the meeting. My question to you is that is this still your present understanding that the likely inspiration by the supporters of the challenged law, quote, "was that there have been instances in which information has been presented in trainings in K through 12
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A Q	that has been received by the Commission under the challenged law in this case.  No.  I'm going to set that aside. I'm going to have one more exhibit.  (Exhibit 56 marked for identification)  So Director Malachi, just as you read this, I'm only going to have you look at one particular paragraph, and that's the paragraph on the bottom of page 2 of Exhibit 56 that's Bates stamped HRC 00392, and that has been highlighted, and I will submit that that highlighting has been done by Plaintiffs' counsel in this case.  So I think just to kind of streamline this process I think what I would just ask you to do	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17		there been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's inferiority or superiority?  I'm sorry. Ask the first part of the question again?  Sure. I know that you have no reason to believe this was an inaccurate reflection of what you said at the meeting. My question to you is that is this still your present understanding that the likely inspiration by the supporters of the challenged law, quote, "was that there have been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q	that has been received by the Commission under the challenged law in this case.  No.  I'm going to set that aside. I'm going to have one more exhibit.  (Exhibit 56 marked for identification)  So Director Malachi, just as you read this, I'm only going to have you look at one particular paragraph, and that's the paragraph on the bottom of page 2 of Exhibit 56 that's Bates stamped HRC 00392, and that has been highlighted, and I will submit that that highlighting has been done by Plaintiffs' counsel in this case.  So I think just to kind of streamline this process I think what I would just ask you to do is read that entire paragraph beginning with	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18		there been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's inferiority or superiority?  I'm sorry. Ask the first part of the question again?  Sure. I know that you have no reason to believe this was an inaccurate reflection of what you said at the meeting. My question to you is that is this still your present understanding that the likely inspiration by the supporters of the challenged law, quote, "was that there have been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A Q	that has been received by the Commission under the challenged law in this case.  No.  I'm going to set that aside. I'm going to have one more exhibit.  (Exhibit 56 marked for identification)  So Director Malachi, just as you read this, I'm only going to have you look at one particular paragraph, and that's the paragraph on the bottom of page 2 of Exhibit 56 that's Bates stamped HRC 00392, and that has been highlighted, and I will submit that that highlighting has been done by Plaintiffs' counsel in this case.  So I think just to kind of streamline this process I think what I would just ask you to do is read that entire paragraph beginning with "Director Malachi discussed the impact of HB 2,"	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	Q	there been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's inferiority or superiority?  I'm sorry. Ask the first part of the question again?  Sure. I know that you have no reason to believe this was an inaccurate reflection of what you said at the meeting. My question to you is that is this still your present understanding that the likely inspiration by the supporters of the challenged law, quote, "was that there have been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's inferiority/superiority?  I'm not having an opinion one way or the other.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q Q	that has been received by the Commission under the challenged law in this case.  No.  I'm going to set that aside. I'm going to have one more exhibit.  (Exhibit 56 marked for identification)  So Director Malachi, just as you read this, I'm only going to have you look at one particular paragraph, and that's the paragraph on the bottom of page 2 of Exhibit 56 that's Bates stamped HRC 00392, and that has been highlighted, and I will submit that that highlighting has been done by Plaintiffs' counsel in this case.  So I think just to kind of streamline this process I think what I would just ask you to do is read that entire paragraph beginning with "Director Malachi discussed the impact of HB 2," and when you finish that paragraph on page 2,	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Q	there been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's inferiority or superiority?  I'm sorry. Ask the first part of the question again?  Sure. I know that you have no reason to believe this was an inaccurate reflection of what you said at the meeting. My question to you is that is this still your present understanding that the likely inspiration by the supporters of the challenged law, quote, "was that there have been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's inferiority/superiority?  I'm not having an opinion one way or the other.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q Q	that has been received by the Commission under the challenged law in this case.  No.  I'm going to set that aside. I'm going to have one more exhibit.  (Exhibit 56 marked for identification)  So Director Malachi, just as you read this, I'm only going to have you look at one particular paragraph, and that's the paragraph on the bottom of page 2 of Exhibit 56 that's Bates stamped HRC 00392, and that has been highlighted, and I will submit that that highlighting has been done by Plaintiffs' counsel in this case.  So I think just to kind of streamline this process I think what I would just ask you to do is read that entire paragraph beginning with "Director Malachi discussed the impact of HB 2," and when you finish that paragraph on page 2, just let me know when you're done, please.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	Q	there been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's inferiority or superiority?  I'm sorry. Ask the first part of the question again?  Sure. I know that you have no reason to believe this was an inaccurate reflection of what you said at the meeting. My question to you is that is this still your present understanding that the likely inspiration by the supporters of the challenged law, quote, "was that there have been instances in which information has been presented in trainings in K through 12 classrooms that states directly and/or impliedly that inherent traits establish a person's inferiority/superiority?  I'm not having an opinion one way or the other.  I just want to short-circuit this. All I'm

		97			99
1		my question is sitting here today, does the	1		2, HRC-00392?
2		opinion on page 2 that you had on October 7th,	2	Α	I do not.
3		2021, continue to be your opinion sitting here	3	Q	I'm going to also introduce another exhibit.
4		today. That's all.	4		(Exhibit 57 marked for identification)
5		MR. KENISON-MARVIN: Objection to the	5		MR. BISSONNETTE: And I am also going to,
6		extent it mischaracterizes and misstates prior	6		if it's okay, Nate, I'm going to have before the
7		testimony.	7		witness the exhibit previously marked Exhibit 32
8	Α	Sitting here today I haven't given much thought	8		as well. I'm just going to use these in
9		to this statement two years ago.	9		conjunction with each other. Thank you.
10	Q	But you had an opinion obviously on October 7,	10		(Discussion off the record)
11		2021, correct?	11	Q	Director Malachi, Exhibit 57 are Christian Kim's
12		MR. KENISON-MARVIN: Objection.	12		and your objections and responses to the
13		Misrepresents prior testimony.	13		Plaintiff's First Set of Interrogatories,
14	Q	Are you able to answer that question?	14		correct?
15	Α	Oh, if I had an opinion?	15	Α	You said 57?
16	Q	Then.	16	Q	There should be two exhibits in front of you.
17	Α	Then?	17		The first is 57.
18	Q	Yes.	18		MR. KENISON-MARVIN: Just clarify the title
19	Α	This is part of a discussion so I'm reading	19		of the document versus caption.
20		what's written here.	20	Q	So I'll strike my last question.
21	Q	I understand that. It seems to me based on the	21		I want to just to confirm that in this case
22		minutes that this is a summary of at least an	22		in which Commissioner Edelblut and other state
23		explanation provided by Assistant Director Burke	23		actors are Defendants, can you confirm that
		0.0			100
1		98 Cohen and Director Malachi which is you. So I	1		Exhibit 57 consists of the Objection and
2		guess what I'm trying to get at is you had this,	2		Responses to the Plaintiff's First set of
3		this is an explanation strike that.	3		Interrogatories submitted to Chairperson
4		Do you know what is being referenced when	4		Christian Kim and you, Executive Director Ahni
5		the language states in this explanation that,	5		Malachi?
6		quote, "there have been instances in which	6	Α	I would have to look through this and speak with
7		information has been presented in trainings in K	7	, ,	counsel to give you an answer to that question.
8		through 12 classrooms that states directly	8	Q	Take as much time as you need. I do need you to
9		and/or impliedly that inherent traits establish	9	_	confirm that.
10		a person's inferiority/superiority?	10		MR. KENISON-MARVIN: Off the record for
11	Α	I'm sorry. Are you asking if I have	11		just a second.
12	Q	What were the instances being referred to.	12		(Director Malachi and Atty. Kenison-Marvin
13	٩	That's what I'm trying to forget at.	13		leave the room and return
14		MR. KENISON-MARVIN: Objection.	14		4:09 - 4:21 p.m.)
15		-		Q	If you could just reread the last question?
		Foundation.	15		
	Д	Foundation.  I don't have a recollection.	15 16	~	
16	A O	I don't have a recollection.	16		(Requested portion read back by court reporter)
16 17	A Q	I don't have a recollection.  So you don't know what was being referred to	16 17		(Requested portion read back by court reporter) Okay. I'm very unclear in looking and this
16 17 18		I don't have a recollection.  So you don't know what was being referred to with respect to the specific instances that are	16 17 18		(Requested portion read back by court reporter) Okay. I'm very unclear in looking and this document which is noticed as Exhibit 57, these
16 17 18 19	Q	I don't have a recollection.  So you don't know what was being referred to with respect to the specific instances that are on the bottom of page 2 HRC-00392?	16 17 18 19		(Requested portion read back by court reporter) Okay. I'm very unclear in looking and this document which is noticed as Exhibit 57, these are questions for the Commissioner of Education.
16 17 18 19 20	Q A	I don't have a recollection.  So you don't know what was being referred to with respect to the specific instances that are on the bottom of page 2 HRC-00392?  I do not have a specific recollection.	16 17 18 19 20		(Requested portion read back by court reporter) Okay. I'm very unclear in looking and this document which is noticed as Exhibit 57, these are questions for the Commissioner of Education. This is an Interrogatory for him specifically.
16 17 18 19 20 21	Q	I don't have a recollection.  So you don't know what was being referred to with respect to the specific instances that are on the bottom of page 2 HRC-00392?  I do not have a specific recollection.  Do you have any recollection of this discussion	16 17 18 19 20 21		(Requested portion read back by court reporter) Okay. I'm very unclear in looking and this document which is noticed as Exhibit 57, these are questions for the Commissioner of Education. This is an Interrogatory for him specifically. So I can't answer or attest to anything for the
16 17 18 19 20	Q A	I don't have a recollection.  So you don't know what was being referred to with respect to the specific instances that are on the bottom of page 2 HRC-00392?  I do not have a specific recollection.	16 17 18 19 20		(Requested portion read back by court reporter) Okay. I'm very unclear in looking and this document which is noticed as Exhibit 57, these are questions for the Commissioner of Education. This is an Interrogatory for him specifically.

_					
	_	101	4		103
	Q	Are you referring to the caption that says Local	1		can confirm that the HRC has docketed one
2		8027 versus Frank Edelblut? Is that what you're	2		complaint made under the amendments," end quote.
3		referring to?	3		Do you see that sentence?
	A	So I'm referring to Exhibit 57 that has that	4	A	Where are you on the page?
5		caption, and in looking through this document it	5	Q	Sure. I'm on page 10.
6		talks about the Commissioner objecting and	6	Α	Yes.
7		carries through on the Commissioner's	7	Q	Above paragraph 7, the statement, quote, "The
8		objections, and it states the Human Rights	8		HRC Defendants can confirm that the HRC has
9		Commission in some of the objections as part of	9		docketed one complaint made under the
10		Commissioner's answer.	10		amendments."
11		MR. KENISON-MARVIN: I do have a different	11	Α	I see that.
12		document than her, I think.	12	Q	Sure. I've also put before you a document
13	Α	It is not for the Human Rights Commission if you	13		that's been previously marked as Exhibit 32. Do
14		look at the signatures. Verification pages.	14		you see, I'm not asking you to read it yet but
15	Q	So you have the wrong document? That's my	15		do you see is Exhibit 32 in front of you?
16		fault.	16	Α	Yes.
17		MR. KENISON-MARVIN: I can just look at	17	Q	So my question is and you can take time to
18		everything, but yeah, it's captioned the	18		answer this, is Exhibit 32 the docketed
19		Commissioner Frank Edelblut.	19		complaint referenced on page 10 of your
20		(Exhibit 58 marked for identification)	20		Interrogatory responses in Exhibit 58? And if
21		MR. BISSONNETTE: Thank you for flagging	21		we need a minute to go off the record I'm happy
22		that, and I apologize. So that's on me. Thank	22		to do so as well.
23		you.	23	Α	So Exhibit 32 is not a docketed response or not
1		· ·	l .		
					104
	<u>ი</u>	102	1		a docketed charge.
1	Q	So while you're reviewing that, Director	1 2	Q	a docketed charge.
1 2	Q	So while you're reviewing that, Director Malachi, I'll have the same question with the	2	Q	a docketed charge.  Okay. What is that sentence on page 2, what is
1 2 3	Q	So while you're reviewing that, Director Malachi, I'll have the same question with the caveat now is whether Exhibit 58 consists of	2	Q	a docketed charge.  Okay. What is that sentence on page 2, what is the complaint that it is referencing
1 2 3 4	Q	So while you're reviewing that, Director Malachi, I'll have the same question with the caveat now is whether Exhibit 58 consists of Chairperson Christian Kim's and your objections	2 3 4		a docketed charge.  Okay. What is that sentence on page 2, what is the complaint that it is referencing specifically?
1 2 3 4 5	Q	So while you're reviewing that, Director Malachi, I'll have the same question with the caveat now is whether Exhibit 58 consists of Chairperson Christian Kim's and your objections and responses to the Plaintiffs' First Set of	2 3 4 5	Α	a docketed charge.  Okay. What is that sentence on page 2, what is the complaint that it is referencing specifically?  Which document are you on?
1 2 3 4 5 6		So while you're reviewing that, Director Malachi, I'll have the same question with the caveat now is whether Exhibit 58 consists of Chairperson Christian Kim's and your objections and responses to the Plaintiffs' First Set of Interrogatories in this case.	2 3 4 5 6	A Q	a docketed charge.  Okay. What is that sentence on page 2, what is the complaint that it is referencing specifically?  Which document are you on?  I'm on Exhibit 58.
1 2 3 4 5 6 7	Q	So while you're reviewing that, Director Malachi, I'll have the same question with the caveat now is whether Exhibit 58 consists of Chairperson Christian Kim's and your objections and responses to the Plaintiffs' First Set of Interrogatories in this case. Okay. For the 13th time, your question again?	2 3 4 5 6 7	A Q A	a docketed charge.  Okay. What is that sentence on page 2, what is the complaint that it is referencing specifically?  Which document are you on?  I'm on Exhibit 58.  Okay.
1 2 3 4 5 6 7 8	Α	So while you're reviewing that, Director Malachi, I'll have the same question with the caveat now is whether Exhibit 58 consists of Chairperson Christian Kim's and your objections and responses to the Plaintiffs' First Set of Interrogatories in this case. Okay. For the 13th time, your question again? (Discussion off the record)	2 3 4 5 6 7 8	A Q	a docketed charge.  Okay. What is that sentence on page 2, what is the complaint that it is referencing specifically?  Which document are you on?  I'm on Exhibit 58.  Okay.  Quote, "The HRC Defendants can confirm that the
1 2 3 4 5 6 7 8		So while you're reviewing that, Director Malachi, I'll have the same question with the caveat now is whether Exhibit 58 consists of Chairperson Christian Kim's and your objections and responses to the Plaintiffs' First Set of Interrogatories in this case. Okay. For the 13th time, your question again? (Discussion off the record) Is Exhibit 58 the Interrogatory Responses of	2 3 4 5 6 7 8 9	A Q A	a docketed charge.  Okay. What is that sentence on page 2, what is the complaint that it is referencing specifically?  Which document are you on?  I'm on Exhibit 58.  Okay.  Quote, "The HRC Defendants can confirm that the HRC has docketed one complaint made under the
1 2 3 4 5 6 7 8 9	Α	So while you're reviewing that, Director Malachi, I'll have the same question with the caveat now is whether Exhibit 58 consists of Chairperson Christian Kim's and your objections and responses to the Plaintiffs' First Set of Interrogatories in this case. Okay. For the 13th time, your question again? (Discussion off the record) Is Exhibit 58 the Interrogatory Responses of both Chairman Kim and you in response to the	2 3 4 5 6 7 8 9	A Q A	a docketed charge.  Okay. What is that sentence on page 2, what is the complaint that it is referencing specifically?  Which document are you on?  I'm on Exhibit 58.  Okay.  Quote, "The HRC Defendants can confirm that the HRC has docketed one complaint made under the amendments," end quote. Do you see that
1 2 3 4 5 6 7 8 9 10 11	Α	So while you're reviewing that, Director Malachi, I'll have the same question with the caveat now is whether Exhibit 58 consists of Chairperson Christian Kim's and your objections and responses to the Plaintiffs' First Set of Interrogatories in this case. Okay. For the 13th time, your question again? (Discussion off the record) Is Exhibit 58 the Interrogatory Responses of both Chairman Kim and you in response to the Plaintiffs' First Set of Interrogatories in this	2 3 4 5 6 7 8 9 10	A Q A Q	a docketed charge.  Okay. What is that sentence on page 2, what is the complaint that it is referencing specifically?  Which document are you on?  I'm on Exhibit 58.  Okay.  Quote, "The HRC Defendants can confirm that the HRC has docketed one complaint made under the amendments," end quote. Do you see that language?
1 2 3 4 5 6 7 8 9 10 11 12	A Q	So while you're reviewing that, Director Malachi, I'll have the same question with the caveat now is whether Exhibit 58 consists of Chairperson Christian Kim's and your objections and responses to the Plaintiffs' First Set of Interrogatories in this case. Okay. For the 13th time, your question again? (Discussion off the record) Is Exhibit 58 the Interrogatory Responses of both Chairman Kim and you in response to the Plaintiffs' First Set of Interrogatories in this case?	2 3 4 5 6 7 8 9 10 11 12	A Q A Q	a docketed charge.  Okay. What is that sentence on page 2, what is the complaint that it is referencing specifically?  Which document are you on?  I'm on Exhibit 58.  Okay.  Quote, "The HRC Defendants can confirm that the HRC has docketed one complaint made under the amendments," end quote. Do you see that language?  I do.
1 2 3 4 5 6 7 8 9 10 11 12 13	A Q A	So while you're reviewing that, Director Malachi, I'll have the same question with the caveat now is whether Exhibit 58 consists of Chairperson Christian Kim's and your objections and responses to the Plaintiffs' First Set of Interrogatories in this case. Okay. For the 13th time, your question again? (Discussion off the record) Is Exhibit 58 the Interrogatory Responses of both Chairman Kim and you in response to the Plaintiffs' First Set of Interrogatories in this case? That is a fair assessment.	2 3 4 5 6 7 8 9 10 11 12 13	A Q A Q	a docketed charge.  Okay. What is that sentence on page 2, what is the complaint that it is referencing specifically?  Which document are you on?  I'm on Exhibit 58.  Okay.  Quote, "The HRC Defendants can confirm that the HRC has docketed one complaint made under the amendments," end quote. Do you see that language?  I do.  What is the Commission referring to in that
1 2 3 4 5 6 7 8 9 10 11 12 13 14	A Q	So while you're reviewing that, Director Malachi, I'll have the same question with the caveat now is whether Exhibit 58 consists of Chairperson Christian Kim's and your objections and responses to the Plaintiffs' First Set of Interrogatories in this case. Okay. For the 13th time, your question again? (Discussion off the record) Is Exhibit 58 the Interrogatory Responses of both Chairman Kim and you in response to the Plaintiffs' First Set of Interrogatories in this case? That is a fair assessment. Okay. And you reviewed these responses before	2 3 4 5 6 7 8 9 10 11 12 13 14	A Q A Q A Q	a docketed charge.  Okay. What is that sentence on page 2, what is the complaint that it is referencing specifically?  Which document are you on?  I'm on Exhibit 58.  Okay.  Quote, "The HRC Defendants can confirm that the HRC has docketed one complaint made under the amendments," end quote. Do you see that language?  I do.  What is the Commission referring to in that statement?
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	A Q A	So while you're reviewing that, Director Malachi, I'll have the same question with the caveat now is whether Exhibit 58 consists of Chairperson Christian Kim's and your objections and responses to the Plaintiffs' First Set of Interrogatories in this case. Okay. For the 13th time, your question again? (Discussion off the record) Is Exhibit 58 the Interrogatory Responses of both Chairman Kim and you in response to the Plaintiffs' First Set of Interrogatories in this case? That is a fair assessment. Okay. And you reviewed these responses before they were submitted to Plaintiffs' counsel in	2 3 4 5 6 7 8 9 10 11 12 13 14 15	A Q A Q	a docketed charge.  Okay. What is that sentence on page 2, what is the complaint that it is referencing specifically?  Which document are you on?  I'm on Exhibit 58.  Okay.  Quote, "The HRC Defendants can confirm that the HRC has docketed one complaint made under the amendments," end quote. Do you see that language?  I do.  What is the Commission referring to in that statement?  It's referring to a docketed charge, a docketed,
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A Q A Q	So while you're reviewing that, Director Malachi, I'll have the same question with the caveat now is whether Exhibit 58 consists of Chairperson Christian Kim's and your objections and responses to the Plaintiffs' First Set of Interrogatories in this case. Okay. For the 13th time, your question again? (Discussion off the record) Is Exhibit 58 the Interrogatory Responses of both Chairman Kim and you in response to the Plaintiffs' First Set of Interrogatories in this case? That is a fair assessment. Okay. And you reviewed these responses before they were submitted to Plaintiffs' counsel in this case, I assume?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	A Q A Q A Q	a docketed charge.  Okay. What is that sentence on page 2, what is the complaint that it is referencing specifically?  Which document are you on?  I'm on Exhibit 58.  Okay.  Quote, "The HRC Defendants can confirm that the HRC has docketed one complaint made under the amendments," end quote. Do you see that language?  I do.  What is the Commission referring to in that statement?  It's referring to a docketed charge, a docketed, so it's an allegation and then it becomes,
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A Q A Q	So while you're reviewing that, Director Malachi, I'll have the same question with the caveat now is whether Exhibit 58 consists of Chairperson Christian Kim's and your objections and responses to the Plaintiffs' First Set of Interrogatories in this case. Okay. For the 13th time, your question again? (Discussion off the record) Is Exhibit 58 the Interrogatory Responses of both Chairman Kim and you in response to the Plaintiffs' First Set of Interrogatories in this case? That is a fair assessment. Okay. And you reviewed these responses before they were submitted to Plaintiffs' counsel in this case, I assume? That's fair.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	A Q A Q A Q	a docketed charge.  Okay. What is that sentence on page 2, what is the complaint that it is referencing specifically?  Which document are you on?  I'm on Exhibit 58.  Okay.  Quote, "The HRC Defendants can confirm that the HRC has docketed one complaint made under the amendments," end quote. Do you see that language?  I do.  What is the Commission referring to in that statement?  It's referring to a docketed charge, a docketed, so it's an allegation and then it becomes, potentially becomes docketed and so it is
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q A Q	So while you're reviewing that, Director Malachi, I'll have the same question with the caveat now is whether Exhibit 58 consists of Chairperson Christian Kim's and your objections and responses to the Plaintiffs' First Set of Interrogatories in this case. Okay. For the 13th time, your question again? (Discussion off the record) Is Exhibit 58 the Interrogatory Responses of both Chairman Kim and you in response to the Plaintiffs' First Set of Interrogatories in this case? That is a fair assessment. Okay. And you reviewed these responses before they were submitted to Plaintiffs' counsel in this case, I assume? That's fair. And you signed a verification on page 15 of	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	A Q A Q A Q	a docketed charge.  Okay. What is that sentence on page 2, what is the complaint that it is referencing specifically?  Which document are you on?  I'm on Exhibit 58.  Okay.  Quote, "The HRC Defendants can confirm that the HRC has docketed one complaint made under the amendments," end quote. Do you see that language?  I do.  What is the Commission referring to in that statement?  It's referring to a docketed charge, a docketed, so it's an allegation and then it becomes, potentially becomes docketed and so it is referring to a docketed charge.
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A Q A Q A Q	So while you're reviewing that, Director Malachi, I'll have the same question with the caveat now is whether Exhibit 58 consists of Chairperson Christian Kim's and your objections and responses to the Plaintiffs' First Set of Interrogatories in this case. Okay. For the 13th time, your question again? (Discussion off the record) Is Exhibit 58 the Interrogatory Responses of both Chairman Kim and you in response to the Plaintiffs' First Set of Interrogatories in this case? That is a fair assessment. Okay. And you reviewed these responses before they were submitted to Plaintiffs' counsel in this case, I assume? That's fair. And you signed a verification on page 15 of Exhibit 58, correct?	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	A Q A Q A Q	a docketed charge.  Okay. What is that sentence on page 2, what is the complaint that it is referencing specifically?  Which document are you on?  I'm on Exhibit 58.  Okay.  Quote, "The HRC Defendants can confirm that the HRC has docketed one complaint made under the amendments," end quote. Do you see that language?  I do.  What is the Commission referring to in that statement?  It's referring to a docketed charge, a docketed, so it's an allegation and then it becomes, potentially becomes docketed and so it is referring to a docketed charge.  Okay. And was that docketed charge produced in
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A Q A Q	So while you're reviewing that, Director Malachi, I'll have the same question with the caveat now is whether Exhibit 58 consists of Chairperson Christian Kim's and your objections and responses to the Plaintiffs' First Set of Interrogatories in this case. Okay. For the 13th time, your question again? (Discussion off the record) Is Exhibit 58 the Interrogatory Responses of both Chairman Kim and you in response to the Plaintiffs' First Set of Interrogatories in this case? That is a fair assessment. Okay. And you reviewed these responses before they were submitted to Plaintiffs' counsel in this case, I assume? That's fair. And you signed a verification on page 15 of Exhibit 58, correct? That would be my electronic signature.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A Q A Q	a docketed charge.  Okay. What is that sentence on page 2, what is the complaint that it is referencing specifically?  Which document are you on?  I'm on Exhibit 58.  Okay.  Quote, "The HRC Defendants can confirm that the HRC has docketed one complaint made under the amendments," end quote. Do you see that language?  I do.  What is the Commission referring to in that statement?  It's referring to a docketed charge, a docketed, so it's an allegation and then it becomes, potentially becomes docketed and so it is referring to a docketed charge.  Okay. And was that docketed charge produced in this litigation, do you know?
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q A Q A Q	So while you're reviewing that, Director Malachi, I'll have the same question with the caveat now is whether Exhibit 58 consists of Chairperson Christian Kim's and your objections and responses to the Plaintiffs' First Set of Interrogatories in this case. Okay. For the 13th time, your question again? (Discussion off the record) Is Exhibit 58 the Interrogatory Responses of both Chairman Kim and you in response to the Plaintiffs' First Set of Interrogatories in this case? That is a fair assessment. Okay. And you reviewed these responses before they were submitted to Plaintiffs' counsel in this case, I assume? That's fair. And you signed a verification on page 15 of Exhibit 58, correct? That would be my electronic signature. I'm only going to direct your attention to page	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	A Q A Q A Q	a docketed charge.  Okay. What is that sentence on page 2, what is the complaint that it is referencing specifically?  Which document are you on?  I'm on Exhibit 58.  Okay.  Quote, "The HRC Defendants can confirm that the HRC has docketed one complaint made under the amendments," end quote. Do you see that language?  I do.  What is the Commission referring to in that statement?  It's referring to a docketed charge, a docketed, so it's an allegation and then it becomes, potentially becomes docketed and so it is referring to a docketed charge.  Okay. And was that docketed charge produced in this litigation, do you know?  I would need to confer with my attorney because
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A Q A Q	So while you're reviewing that, Director Malachi, I'll have the same question with the caveat now is whether Exhibit 58 consists of Chairperson Christian Kim's and your objections and responses to the Plaintiffs' First Set of Interrogatories in this case. Okay. For the 13th time, your question again? (Discussion off the record) Is Exhibit 58 the Interrogatory Responses of both Chairman Kim and you in response to the Plaintiffs' First Set of Interrogatories in this case? That is a fair assessment. Okay. And you reviewed these responses before they were submitted to Plaintiffs' counsel in this case, I assume? That's fair. And you signed a verification on page 15 of Exhibit 58, correct? That would be my electronic signature.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	A Q A Q A Q	a docketed charge.  Okay. What is that sentence on page 2, what is the complaint that it is referencing specifically?  Which document are you on?  I'm on Exhibit 58.  Okay.  Quote, "The HRC Defendants can confirm that the HRC has docketed one complaint made under the amendments," end quote. Do you see that language?  I do.  What is the Commission referring to in that statement?  It's referring to a docketed charge, a docketed, so it's an allegation and then it becomes, potentially becomes docketed and so it is referring to a docketed charge.  Okay. And was that docketed charge produced in this litigation, do you know?

105 107 1 official documents with the commission. So it confidential. 1 2 has to be on that form which is signed by the 2 Q Um-hum. Okay. Is the complaint in Exhibit 32, Complainant and verified by a notary. So I'm 3 talking about the contents of the complaint, let not sure if that answers your question. 4 me start again. 5 0 It's difficult for me because all I have with 5 Is the contents of the complaint from respect to Mr. 's allegation is what's 6 in Exhibit 32 the same contents of reflected in Exhibit 32. I don't have anything 7 7 the complaint that was docketed and that is else produced with respect to that allegation, 8 reflected on page 10 of Exhibit 58? but there's been an indication made to me that 9 Α I may need to confer with my attorney. I'm 10 10 this is a docketed complaint. There's been a unsure of what I can share based on 11 statement under oath from the Human Rights 11 confidentiality of the Commission. 12 Commission that there's one docketed complaint 12 MR. KENISON-MARVIN: I'm happy to do this 13 just off the record quickly. 13 under the amendments, and I'm trying to get at 14 what that docketed complaint is. What are its 14 (Discussion off the record) 15 contents 15 (Requested portion read back by court reporter). 16 So that's going to be my question to you. 16 A So I need clarification. Are you asking if 17 completed one of our forms? Are I'm referring you back, Director Malachi, to the 17 18 statement, quote, "The HRC Defendants can 18 you asking if just this information is a charge? 19 confirm the HRC has docketed one complaint made 19 I'm not clear on what you're asking. 2.0 under the amendments," end quote. What is the 20 Q I'm a little bit at a disadvantage because I 21 substance of that complaint that has been 21 only have what the Commission produced to us in 2.2 docket.ed? 22 litigation. The only documents with respect to 23 's complaint that have been produced 23 Α So the substance of the docketed complaint would 106 108 1 in this litigation is what's reflected in 1 be whatever the individual is alleging took 2 Exhibit 32. That's all we've received. In place, that information is put on a specific addition, there's been a representation made to form that they would then sign and that 3 us by counsel that this complaint has been signature is verified and that becomes the 4 5 docketed. docketed complaint. 6 So all I'm just trying to get at is are the 6 Ο So I haven't received that form. So I guess my question is can you sitting here today, can you contents of Mr. s complaint in his email in Exhibit 32 the contents of the recall what the allegation was in the form that 8 8 9 complaint that has been docketed by the HRC as 9 was docketed and led to a docketed complaint 10 reflected on page 10 of Exhibit 58? 10 made under the amendments? What was the 11 Okay. So the answer to the question is a 11 complaint about? That's all I'm trying to get 12 docketed charge is on a specific form with the 12 13 Commission. That form is then verified. Any 13 To my recollection -- I'll stay that. Question 14 additional information that a complainant wishes 14 again, please? 15 to add to that, whatever that is, at the time of (Requested portion read back by court reporter) filing the charge they are welcome to do that. Without having the exact complaint document in 16 16 17 They are not required to do that. All that is 17 front of me, I cannot tell you with a hundred 18 required is their sworn affidavit that the 18 percent certainty what is in the complaint. events that they are discussing or the events However, it would allude to something that is in 19 19 20 that they are alleging have happened and then 20 this email to the Commission, but I don't have 21 that form is verified. So their signature and the exact language in front of me. 21 22 then their signature is witnessed by a notary. 22 0 Can we go off the record? Can I just speak with 23 So all charges, regardless of type, are on 23 you?

	109		111
1	(Counsel leave the conference	1	CERTIFICATE
2	room and return 4:43 - 4:49 p.m.)	2	I, Cynthia Foster, Registered Professional
3	MR. BISSONNETTE: After conferring with	3	Reporter and Licensed Court Reporter, duly authorized
4	counsel, we are going to suspend this deposition	4	to practice Shorthand Court Reporting in the State of
5	and reconvene at a later time to cover just a	5	New Hampshire, hereby certify that the foregoing
6	few of the outstanding issue areas, and I	6	pages, numbered 5 through 109, are a true and
7	believe there's agreement between counsel on	7	accurate transcription of my stenographic notes of
8	that.	8	the deposition of AHNI MALACHI who was first duly
9	MR. KENISON-MARVIN: Yes. Before we go off	9	sworn by me on May 24, 2023, for use in the matter
10	the record, I'll put on the record officially	10	indicated on the title sheet, as to which a
11	that we will be reserving the right to read and	11	transcript was duly ordered;
		12	I further certify that I am neither
12	sign once everything is concluded.	13	attorney nor counsel for, nor related to or employed
13	(Deposition suspended at 4:49 p.m.)	14	by any of the parties to the action in which this
14		15	transcript was produced, and further that I am not a
15		16	relative or employee of any attorney or counsel
16		17	employed in this case, nor am I financially
17		18	interested in this action.
18		19	
19		20	JO COURT COURT
20			Cynthia Foster, LCR
21		21	Cynthia Foster, LCR
22		22	
23		23	
	110		112
1	I have carefully read the foregoing	1	ERRATA
1 2		1 2	$ \mbox{E R R A T A} $ I, the undersigned, AHNI MALACHI, have read the
	I have carefully read the foregoing		ERRATA
2	I have carefully read the foregoing	3	E R R A T A  I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in the matter of Local 8027, AFT-New Hampshire, et al v. Frank Edelblut, Commissioner, et al; and the same is
2 3 4	I have carefully read the foregoing deposition, and the answers made by me are true.	2	E R R A T A $$ I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in the matter of Local 8027, AFT-New Hampshire, et al v.
2	I have carefully read the foregoing	3	ERRATA  I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in the matter of Local 8027, AFT-New Hampshire, et al v. Frank Edelblut, Commissioner, et al; and the same is true and correct, to the best of my knowledge, with the exception of the following changes noted below, if any:
2 3 4 5 6	I have carefully read the foregoing deposition, and the answers made by me are true.	3 4 5 6	ERRATA  I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in the matter of Local 8027, AFT-New Hampshire, et al v. Frank Edelblut, Commissioner, et al; and the same is true and correct, to the best of my knowledge, with the exception of the following changes noted below,
2 3 4 5 6 7	I have carefully read the foregoing deposition, and the answers made by me are true.  AHNI MALACHI	3 4	ERRATA  I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in the matter of Local 8027, AFT-New Hampshire, et al v. Frank Edelblut, Commissioner, et al; and the same is true and correct, to the best of my knowledge, with the exception of the following changes noted below, if any:
2 3 4 5 6 7 8	I have carefully read the foregoing deposition, and the answers made by me are true.  AHNI MALACHI  STATE OF	2 3 4 5 6 7 8 9	ERRATA  I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in the matter of Local 8027, AFT-New Hampshire, et al v. Frank Edelblut, Commissioner, et al; and the same is true and correct, to the best of my knowledge, with the exception of the following changes noted below, if any:  PAGE/LINE CORRECTION AND REASON FOR CORRECTION
2 3 4 5 6 7 8	I have carefully read the foregoing deposition, and the answers made by me are true.  AHNI MALACHI	2 3 4 5 6 7 8	ERRATA  I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in the matter of Local 8027, AFT-New Hampshire, et al v. Frank Edelblut, Commissioner, et al; and the same is true and correct, to the best of my knowledge, with the exception of the following changes noted below, if any:
2 3 4 5 6 7 8	I have carefully read the foregoing deposition, and the answers made by me are true.  AHNI MALACHI  STATE OF	2 3 4 5 6 7 8 9	E R R A T A  I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in the matter of Local 8027, AFT-New Hampshire, et al v. Frank Edelblut, Commissioner, et al; and the same is true and correct, to the best of my knowledge, with the exception of the following changes noted below, if any:  PAGE/LINE CORRECTION AND REASON FOR CORRECTION  See attached sheet(s) for additional information: YesNo
2 3 4 5 6 7 8 9	I have carefully read the foregoing deposition, and the answers made by me are true.  AHNI MALACHI  STATE OF	2 3 4 5 6 7 8 9 10 11 12	ERRATA  I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in the matter of Local 8027, AFT-New Hampshire, et al v. Frank Edelblut, Commissioner, et al; and the same is true and correct, to the best of my knowledge, with the exception of the following changes noted below, if any:  PAGE/LINE CORRECTION AND REASON FOR CORRECTION  See attached sheet(s) for additional information:
2 3 4 5 6 7 8 9 10	I have carefully read the foregoing deposition, and the answers made by me are true.  AHNI MALACHI  STATE OF	2 3 4 5 6 7 8 9 10 11	E R R A T A  I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in the matter of Local 8027, AFT-New Hampshire, et al v. Frank Edelblut, Commissioner, et al; and the same is true and correct, to the best of my knowledge, with the exception of the following changes noted below, if any:  PAGE/LINE CORRECTION AND REASON FOR CORRECTION  See attached sheet(s) for additional information: YesNo
2 3 4 5 6 7 8 9 10 11	I have carefully read the foregoing deposition, and the answers made by me are true.  AHNI MALACHI  STATE OF	2 3 4 5 6 7 8 9 10 11 12 13	E R R A T A  I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in the matter of Local 8027, AFT-New Hampshire, et al v. Frank Edelblut, Commissioner, et al; and the same is true and correct, to the best of my knowledge, with the exception of the following changes noted below, if any:  PAGE/LINE CORRECTION AND REASON FOR CORRECTION  See attached sheet(s) for additional information: YesNo  AHNI MALACHI  STATE OF)
2 3 4 5 6 7 8 9 10 11 12 13	I have carefully read the foregoing deposition, and the answers made by me are true.  AHNI MALACHI  STATE OF	2 3 4 5 6 7 8 9 10 11 12	E R R A T A  I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in the matter of Local 8027, AFT-New Hampshire, et al v. Frank Edelblut, Commissioner, et al; and the same is true and correct, to the best of my knowledge, with the exception of the following changes noted below, if any:  PAGE/LINE CORRECTION AND REASON FOR CORRECTION  See attached sheet(s) for additional information: YesNo  AHNI MALACHI
2 3 4 5 6 7 8 9 10 11 12 13	I have carefully read the foregoing deposition, and the answers made by me are true.  AHNI MALACHI  STATE OF	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	E R R A T A  I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in the matter of Local 8027, AFT-New Hampshire, et al v. Frank Edelblut, Commissioner, et al; and the same is true and correct, to the best of my knowledge, with the exception of the following changes noted below, if any:  PAGE/LINE CORRECTION AND REASON FOR CORRECTION  See attached sheet(s) for additional information: YesNo  AHNI MALACHI  STATE OF)
2 3 4 5 6 7 8 9 10 11 12 13 14	I have carefully read the foregoing deposition, and the answers made by me are true.  AHNI MALACHI  STATE OF, SS.  Aton the A.D.  2023, personally appeared the above-named AHNI  MALACHI and made oath that the foregoing answers subscribed by her are true.	2 3 4 5 6 7 8 9 10 11 12 13 14	E R R A T A  I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in the matter of Local 8027, AFT-New Hampshire, et al v. Frank Edelblut, Commissioner, et al; and the same is true and correct, to the best of my knowledge, with the exception of the following changes noted below, if any:  PAGE/LINE CORRECTION AND REASON FOR CORRECTION  See attached sheet(s) for additional information:  YesNo  AHNI MALACHI  STATE OF)  ss.:  COUNTY OF)  Subscribed and sworn to before me this day
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	I have carefully read the foregoing deposition, and the answers made by me are true.  AHNI MALACHI  STATE OF, SS.  Aton the A.D.  2023, personally appeared the above-named AHNI  MALACHI and made oath that the foregoing answers subscribed by her are true.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	E R R A T A  I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in the matter of Local 8027, AFT-New Hampshire, et al v. Frank Edelblut, Commissioner, et al; and the same is true and correct, to the best of my knowledge, with the exception of the following changes noted below, if any:  PAGE/LINE CORRECTION AND REASON FOR CORRECTION  See attached sheet(s) for additional information: YesNo  AHNI MALACHI  STATE OF)
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	I have carefully read the foregoing deposition, and the answers made by me are true.  AHNI MALACHI  STATE OF, SS.  Aton the A.D.  2023, personally appeared the above-named AHNI  MALACHI and made oath that the foregoing answers subscribed by her are true.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	E R R A T A  I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in the matter of Local 8027, AFT-New Hampshire, et al v. Frank Edelblut, Commissioner, et al; and the same is true and correct, to the best of my knowledge, with the exception of the following changes noted below, if any:  PAGE/LINE CORRECTION AND REASON FOR CORRECTION  See attached sheet(s) for additional information:  YesNo  AHNI MALACHI  STATE OF)  ss.:  COUNTY OF)  Subscribed and sworn to before me this day  of, 2023.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	I have carefully read the foregoing deposition, and the answers made by me are true.  AHNI MALACHI  STATE OF	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	E R R A T A  I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in the matter of Local 8027, AFT-New Hampshire, et al v. Frank Edelblut, Commissioner, et al; and the same is true and correct, to the best of my knowledge, with the exception of the following changes noted below, if any:  PAGE/LINE CORRECTION AND REASON FOR CORRECTION  See attached sheet(s) for additional information:  YesNo  AHNI MALACHI  STATE OF)  ss.:  COUNTY OF)  Subscribed and sworn to before me this day
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	I have carefully read the foregoing deposition, and the answers made by me are true.  AHNI MALACHI  STATE OF, SS.  Aton the A.D.  2023, personally appeared the above-named AHNI  MALACHI and made oath that the foregoing answers subscribed by her are true.	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	E R R A T A  I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in the matter of Local 8027, AFT-New Hampshire, et al v. Frank Edelblut, Commissioner, et al; and the same is true and correct, to the best of my knowledge, with the exception of the following changes noted below, if any:  PAGE/LINE CORRECTION AND REASON FOR CORRECTION  See attached sheet(s) for additional information:  YesNo  AHNI MALACHI  STATE OF)  ss.:  COUNTY OF)  Subscribed and sworn to before me this day  of, 2023.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	I have carefully read the foregoing deposition, and the answers made by me are true.  AHNI MALACHI  STATE OF	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	E R R A T A  I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in the matter of Local 8027, AFT-New Hampshire, et al v. Frank Edelblut, Commissioner, et al; and the same is true and correct, to the best of my knowledge, with the exception of the following changes noted below, if any:  PAGE/LINE CORRECTION AND REASON FOR CORRECTION  See attached sheet(s) for additional information:  YesNo  AHNI MALACHI  STATE OF)  ss.:  COUNTY OF)  Subscribed and sworn to before me this day  of, 2023.
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	I have carefully read the foregoing deposition, and the answers made by me are true.  AHNI MALACHI  STATE OF	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	E R R A T A  I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in the matter of Local 8027, AFT-New Hampshire, et al v. Frank Edelblut, Commissioner, et al; and the same is true and correct, to the best of my knowledge, with the exception of the following changes noted below, if any:  PAGE/LINE CORRECTION AND REASON FOR CORRECTION  See attached sheet(s) for additional information:  YesNo  AHNI MALACHI  STATE OF)  ss.:  COUNTY OF)  Subscribed and sworn to before me this day  of, 2023.

1	I have carefully read the foregoing
2	deposition, and the answers made by me are
3	true. <sup>1</sup>
4	Ahni Mal.
5	AHNI MALACHI
6	
7	
8	STATE OF New Hampshine
9	Merrimack, ss.
10	
11	At Merrimacle County on the  17th day of July A.D.
12	_17th day of July A.D.
13	2023, personally appeared the above-named AHNI
14	MALACHI and made oath that the foregoing answers
15	subscribed by her are true.
16	Before me,
17	
18	
19	12/1/
20	Notary Public
21	
22	
23	<sup>1</sup> Subject to the changes indicated on the accompanying errata and attachment thereto.

### 1 ERRATA 2 I, the undersigned, AHNI MALACHI, have read the transcript of my deposition held on May 24, 2023, in 3 the matter of Local 8027, AFT-New Hampshire, et al v. Frank Edelblut, Commissioner, et al; and the same is 4 true and correct, to the best of my knowledge, with the exception of the following changes noted below, 5 if any: 6 PAGE/LINE CORRECTION AND REASON FOR CORRECTION 7 P23 L7 See attachment 8 P27 / L4 See attachment 9 10 See attached sheet(s) for additional information: 11 X Yes No 12 13 STATE OF New Humpshire 14 COUNTY OF MERRIMACL 15 16 Subscribed and sworn to before me this $17^{44}$ day 17 18 19 20 My commission expires: 21 Kelly A. Mederos, Esq. 22 Notary Public, State of New Hampshire My Commission Expires December 21, 2027 23

Local 8027, AFT-New Hampshire, et al., Plaintiffs vs. Frank Edelblut, Commissioner, et al., Defendants (D.N.H. Case No. 1:21-cv-01077-PB)

Ahni Malachi

#### **ERRATA SHEET**

#### **ATTACHMENT**

Page 23, Line 7, Change:

Replace "Commissioner's" with "Commission's" such that the transcript states:

"As I sit here today reading this, it does appear to be an accurate reflection of the *Commission's* process."

Reason: Likely transcription error; otherwise, to clarify testimony.

Page 27, Line 4, Change:

Replace "bearing" with "meaning" such that the transcript states:

"The Commission language has meaning."

Reason: Likely transcription error; otherwise, to clarify testimony.

[end]